

1999
7.7

Senator Burke

COMPREHENSIVE PLANNING

Planning Grants for Comprehensive Planning Activities

Motion:

Move to modify the local planning grant program and comprehensive planning provisions of the bill by doing the following:

1. *Planning Grants to Local Units of Government.* Create a new PR-funded, annual appropriation under the Department of Administration (DOA) for the purpose of making planning grants to a county, city, village, town or regional planning commission. Authorize DOA to make an annual assessment of the state agencies enumerated below to fund these planning grants. Specify that this appropriation, DOA's authority to assess agencies and the associated grant program would be repealed, effective July 1, 2010.
2. *Assessment of Certain State Agencies to Fund the Planning Grants.* Provide that annually the Secretary of DOA shall assess DOA, DATCP, Commerce, DNR, DOR and the UW System \$250,000 each to support the planning grants and the costs of program delivery. Provide that the annual assessment would be applied against each agency's GPR-funded general program operations appropriations, in amounts as determined by the Secretary of DOA, such that the total assessed from all such appropriations under each agency would total \$250,000. Provide that the amounts assessed would be credited to the PR-funded planning grant appropriation account, after first deducting the amounts separately appropriated to support DOA staffing for planning grant activities, the UW-Extension Local Planning Educational and Technical Assistance Program, and the UW-Extension Model Ordinance Development Initiative (all as described below). Provide total expenditure authority under the new planning grant appropriation of \$1,430,000 PR in 1999-00 and \$1,288,200 PR in 2000-01.
3. *Purpose of the Planning Grants.* Specify that the activities eligible for funding under this planning grants appropriation would include contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. Stipulate that only complete comprehensive planning efforts containing all nine planning elements enumerated under s. 66.0295, as created by the bill, would be eligible for grants. Specify that DOA may require grantees to finance from local resources not more than 25% of the costs of the product or services to be supported by the planning grant.
4. *Approval of Planning Grants.* Specify that prior to the awarding of any planning

grants from this new appropriation, DOA would be required to forward a statement of the proposed expenditures to the Wisconsin Land Council and, through August 31, 2003, obtain the Land Council's written approval of the expenditures. In making such a funding determination, require the Land Council to favor grant applications if they contain the elements described below.

5. *Administrative Rules Establishing Funding Priorities for Awarding Planning Grants.*

Authorize the Land Council to promulgate administrative rules specifying how planning grant applications containing the following provisions will be favored over those grant applications that do not contain these provisions:

a. Joint planning. Planning efforts that involve overlapping or neighboring jurisdictions will be favored over single unit planning efforts.

b. Coordination with state goals. Applications that are accompanied by a statement that the plans would meet the following state policy goals will be favored over applications that do not include these goals:

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Protection of natural areas, including wetlands, wildlife habitats, lakes and woodlands, open spaces and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government and utility costs.
- Preservation of cultural, historic and archaeological sites.
- Encouragement of coordination and cooperation among nearby units of government.
- Building of community identity by maintaining physical separation between urban areas, revitalizing main streets and enforcing design standards.
- Providing an adequate supply of affordable housing for all income levels throughout each community.
- Providing adequate infrastructure and public services and supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
- Promoting the expansion or stabilization of the current economic base and the creation of a

range of employment opportunities.

- Balancing individual property rights with community interests and goals.

- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

c. Smart growth areas. Planning efforts that identify smart growth areas to which state and local infrastructure and other investments will be targeted will be favored, if the areas will: (i) promote the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable; and (ii) encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state government and utility costs.

d. Implementation. Planning efforts, including subsequent updates and amendments that include development of implementing ordinances, including but not limited to zoning, subdivision and land division ordinances, will be favored over planning-only efforts.

e. Completion. Planning efforts that promise completion within 30 months of the date on which the grant would be awarded will be favored.

f. Public participation. Planning efforts that provide opportunities for public participation throughout the planning process will be favored.

6. *State Agency Activities and Administrative Rules Affecting Land Use.* Enumerate by statute the state land use policy goals specified under 5.b. above and require that all state agency activities and proposed administrative rules affecting land use must be developed to meet these goals. Specify that, to the extent practicable, all state programs that require local units of government to prepare plans would be required to integrate these planning requirements with local comprehensive plans.

7. *Modifications to Planning Grant Program Funded from the Transportation Fund.* Modify the Governor's proposed \$1,000,000 annual local planning grant program funded from transfers from DOT's highway administration and planning federal funds appropriation to DOA by: (a) allowing DOA to require not more than a 25% local match, rather than requiring a 20% match as recommended by the Governor; and (b) specifying that the grants can only be made for purposes related to the transportation element of a comprehensive plan.

8. *DOA Staffing for Planning Grant Activities.* Provide \$50,000 PR annually and authorize 1.0 PR position in DOA's Office of Land Information Services in a new annual appropriation funded from the agency planning grant assessments to support the operation of the new planning grant program.

9. *UW-Extension Local Planning Educational and Technical Assistance Program.*

Provide \$161,800 PR in 2000-01 funded from the agency planning grant assessments in a new annual appropriation for the University of Wisconsin-Extension and authorize 2.0 PR positions starting in 2000-01 for a University of Wisconsin-Extension local planning educational and technical assistance program. Specify that the program would be aimed at educating local policy makers on planning and the local planning grants program.

10. *UW-Extension Initiative to Develop a Model Ordinance for Traditional Neighborhood Development.* Provide \$20,000 PR in 1999-00 funded from the agency planning grant assessments in the newly-created UW-Extension appropriation and require UW-Extension, in consultation with any other UW institution, a landscape architect, independent planners or any other consultant with an expertise in traditional neighborhood planning and development, to develop a model ordinance for traditional neighborhood development. Define traditional neighborhood development to mean a compact, mixed-use neighborhood where residential, commercial and civic buildings are within close proximity to each other. Require UW-Extension to develop the model ordinance by January 1, 2001.

11. *Approval of Final Plats.* Repeal the current law provision specifying that no approving authority or agency having the power to approve or object to plats shall condition the approval or base the objection on any requirement other than the provisions of Chapter 236 of the statutes, a local ordinance, a local master plan or rules of the Department of Commerce (relating to certain sewer service connections) and the Department of Transportation (relating to highway entrances). Provide instead that if a preliminary or final plat meets the requirements of s. 236.13 of the statutes, all approving authorities must approve the plat and agencies having the power to approve or object to plats shall approve, or certify non-objection to, the plat within the appropriate time frames provided in Chapter 236 of the statutes. Repeal current law provisions that require the approval or review of a plat to be based on consistency with any plan adopted under s. 236.46 or an official map under s. 62.23 and, instead, require the approval or review to be based on consistency with a comprehensive plan or a master plan, if the community does not have a comprehensive plan, effective January 1, 2000.

12. *Smart Growth Dividend Aid Program.* Require DOA and DOR to jointly propose a smart growth dividend aid program in their budget requests for 2001-03 to provide aid beginning in 2005-06. Require the proposal to include provisions that would distribute aid to towns, villages, cities and counties that meet the following requirements: (i) the local government has adopted a comprehensive plan that the Land Council and DOA have determined meets the provisions in paragraph 5; (ii) the local government has implemented the plan in accordance with paragraph 14; and (iii) the population density within the local government's boundaries has increased. Require the proposal to include a provision requiring the Land Council to approve or disapprove grant applications within 60 days of submission.

13. *Comprehensive Planning.* Modify the Governor's recommendation regarding comprehensive planning as follows:

- a. Replace the definition of the issues and opportunities element with the following:

Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20-year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

- b. Replace the definition of the housing element with the following:

A compilation of objectives, policies, goals, maps and programs to provide an adequate housing supply that meets existing and forecasted housing demand in the local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock and provide a range of housing choices, recognizing local and regional housing needs for all income levels and for all age groups and special needs. The element shall also identify specific policies and programs that promote the availability of land for the development or redevelopment of low and moderate income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

- c. Replace the definition of the transportation element with the following:

A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including streets, roads and highways, transit, transportation systems for persons with disabilities, bicycles, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall identify highways and streets within the local governmental unit by function and incorporate other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area or rural area transportation plans, airport master plans and rail plans, that apply to the local governmental unit.

- d. Replace the definition for the utilities and community facilities element with the following:

A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, stormwater management, water supply, solid waste disposal, on-site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power-generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing public utilities and community facilities that serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and

facilities or to create new utilities and facilities, and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

e. Replace the definition of the agricultural, natural and cultural resources element with the following:

A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources, parks, open spaces, historic and cultural resources, community design, recreational resources and other natural resources.

f. Replace the definition of the economic development element with the following:

A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses. The element shall also identify county, regional and state economic development policies and programs that apply to the local governmental unit.

g. Replace the definition of the intergovernmental cooperation element with the following:

A compilation of objectives, policies, goals, maps and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental entities. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The statement shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

h. Replace the definition of the land use element with the following:

A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit,

such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land; opportunities for redevelopment; and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years with detailed maps, in five-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps showing current and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

- i. Replace the definition of the implementation element with the following:

A statement of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, sign regulations, erosion and stormwater control ordinances, historic preservation ordinances, site plan regulations, design review ordinances, building codes, mechanical codes, housing codes, sanitary codes or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

14. *Certain Programs and Actions to Be Consistent with Comprehensive Plans.* Require that the following programs and actions be consistent with comprehensive plans, beginning on January 1, 2010:

- a. municipal incorporations;
- b. annexations;
- c. cooperative boundary agreements;
- d. official mapping;
- e. subdivision plat review and/or land division processes;
- f. extraterritorial plat review;
- g. county zoning ordinances;
- h. city and village zoning ordinances;
- i. town zoning ordinances;
- j. the transportation facilities economic assistance program;
- k. farmland preservation planning;
- l. development impact fees;
- m. land acquisition for local parks under the Stewardship Fund;
- n. shoreland zoning ordinances;

- o. wetland regulations;
- p. stormwater management plans and regulations; and
- q. all other plans and regulations affecting land use.

15. *Procedures for Adopting Comprehensive Plans and Related Regulations.* Require local governments to comply with the following procedures when adopting a comprehensive plan:

- a. Require the governing body of the local government to adopt written procedures designed to provide early and continuous public participation in the preparation and amendment of the comprehensive plan and any regulation relating to the implementation of such plan. Require the procedures to provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, open discussion, communication programs, information services, and consideration of and response to public comments.
- b. Provide that planning commissions shall recommend comprehensive plans, elements of plans, amendments to plans and additions to plans by resolution adopted by a majority of the commission's membership. Require the resolution to refer expressly to maps and other descriptive matter intended by the planning commission to form the whole or an element for the recommended plan. Require the resolution to be recorded in the official minutes of the planning commission. Require one copy of the comprehensive plan or amendment to the plan to be transmitted to: (i) each of the affected governing bodies within the jurisdiction, including, but not limited to, the local school district, sewer district and parks commission; (ii) adjacent units of government; (iii) the county in which the local unit of government is located; and (iv) the Wisconsin Land Council, or to DOA after September 1, 2003.
- c. Specify that a comprehensive plan or an amendment to the plan that has been recommended by the local planning commission must be adopted as an ordinance by the governing body of the local government to become effective. Prohibit the governing body of the local government from adopting a comprehensive plan that does not contain all of the elements specified under the comprehensive planning provisions. Require ordinances adopting a plan or amendments to a plan to be by majority vote of the entire membership. Require the local unit of government to make the comprehensive plan and related amendments available for purchase to the public at the actual cost associated with photocopying the comprehensive plan, or at a lesser amount. Require the plan to be filed with: (i) the clerk of the local unit of government; (ii) the public library that serves the area in which the local government unit is located; (iii) the regional planning commission in the region where the local government is located; and (iv) the clerks of any adjoining local unit of government.
- d. Require the governing body of a local government to hold at least one public hearing prior to adopting a comprehensive plan or an amendment to the plan. Require the governing body to give notice by publication in a newspaper having general circulation within the local unit of government at least 30 days before the public hearing. Authorize the governing body to give notice by publication on a computer-accessible information network or by other appropriate means. Require the form of the notice to include: (i) the date, time and place of the hearing; (ii) a

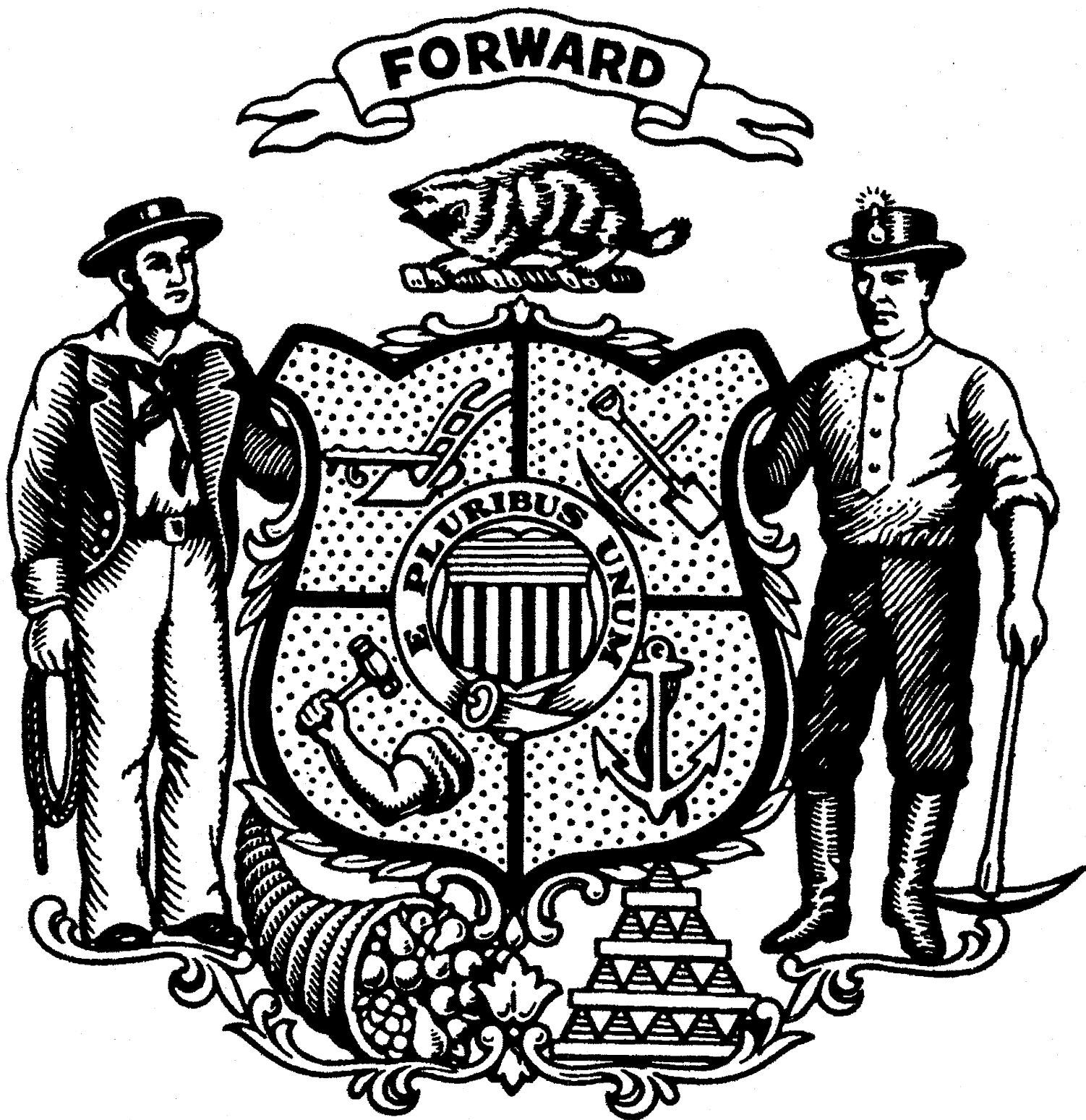
description of the substance of the proposed plan or related amendment, including maps where appropriate; (iii) a contact person from the local government from whom additional information may be obtained; (iv) the time and place where the proposed plan or related amendment may be inspected by any interested person prior to the hearing; and (v) the location where copies of the proposed plan or related amendment may be obtained or purchased.

16. *Required Adoption of Model Ordinance for Traditional Neighborhood Development.* Require each town, village and city with a population of at least 5,000 to adopt an ordinance for traditional neighborhood development by January 1, 2002, that is substantially similar to the model ordinance to be developed by the University of Wisconsin-Extension. Provide that the ordinance is not required to be mapped.

17. *Plan Commission Memberships.* Modify current law provisions regarding membership on town, village or city plan commissions to permit, rather than require, local officials to serve on such a commission.

[Change to Bill: \$3,000,000 PR-REV; \$3,000,000 PR]

END



END

TRANSPORTATION

1999
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Budget Summary							
Fund	1998-99 Base Year Doubled	1999-01 Governor	1999-01 Jt. Finance	Joint Finance Change to:			
				Governor		Base	
				Amount	Percent	Amount	Percent
FED	\$1,050,276,600	\$1,084,088,500	\$1,161,785,000	\$77,696,500	7.2%	\$111,508,400	10.6%
PR	2,866,200	3,659,300	3,659,300	0	0.0	793,100	27.7
SEG	2,246,890,200	2,301,207,000	2,318,084,600	16,877,600	0.7	71,194,400	3.2
SEG-L	127,678,000	129,228,000	134,390,900	5,162,900	4.0	6,712,900	5.3
SEG-S	282,333,400	289,680,100	295,180,100	5,500,000	1.9	12,846,700	4.6
TOTAL	\$3,710,044,400	\$3,807,862,900	\$3,913,099,900	\$105,237,000	2.8%	\$203,055,500	5.5%
BR		\$187,166,000	\$192,666,000	\$5,500,000	2.9%		

FTE Position Summary					
Fund	1998-99 Base	2000-01 Governor	2000-01 Jt. Finance	Joint Finance Change to:	
				Governor	1998-99 Base
FED	950.62	948.57	948.57	0.00	- 2.05
PR	17.00	16.00	16.00	0.00	- 1.00
SEG	2,915.33	2,935.38	2,934.78	- 0.60	19.45
SEG-S	17.00	16.00	16.00	0.00	- 1.00
TOTAL	3,899.95	3,915.95	3,915.35	- 0.60	15.40

Budget Change Items

Transportation Finance

1. TRANSPORTATION FUND CONDITION STATEMENT [LFB Paper 915]

Joint Finance: The following condition statement is based on transportation fund revenues and appropriations as provided in ASA 1 to AB 133 and the estimate that motor fuel tax rates will increase under statutory indexing provisions from 25.8 cents per gallon to 26.3 cents per gallon on April 1, 2000, and 26.9 cents per gallon on April 1, 2001.

	<u>1999-00</u>	<u>2000-01</u>
Unappropriated Balance, July 1	\$25,553,600	\$11,750,600
Revenues		
Motor Fuel Tax	\$802,916,200	\$824,412,400
Vehicle Registration Fees	360,068,000	362,115,500
Less Revenue Bond Debt Service	-92,601,500	-101,547,900
Driver's License Fees	30,941,300	31,479,600
Miscellaneous Motor Vehicle Fees	14,558,200	14,866,300
Aeronautical Taxes and Fees	9,892,100	9,752,600
Railroad Revenue	11,977,100	12,279,500
Motor Carrier Fees	3,306,200	3,566,200
Investment Earnings	7,228,000	7,178,000
Miscellaneous Revenue	<u>12,936,000</u>	<u>12,773,200</u>
Total Annual Revenues	\$1,161,221,600	\$1,176,875,400
Total Available	\$1,186,775,200	\$1,188,626,000
Appropriations and Reserves		
DOT Appropriations	\$1,157,662,200	\$1,159,861,800
Other Agency Appropriations	16,774,500	17,435,600
Less Estimated Lapses	-3,000,000	-3,000,000
Compensation and Other Reserves	<u>3,587,900</u>	<u>14,105,300</u>
Net Appropriations and Reserves	\$1,175,024,600	\$1,188,402,700
Unappropriated Balance, June 30	\$11,750,600	\$223,300

2. FEDERAL HIGHWAY AID [LFB Paper 916]

Governor: Reestimate federal highway aid at \$484,858,300 in 1999-00 and \$495,681,200 in 2000-01. These represent increases of \$19,858,300 in 1999-00 and \$30,681,200 in 2000-01 over the \$465,000,000 the state is estimated to receive for federal fiscal year 1999. The following table shows, by appropriation, how the bill would allocate federal aid during 1999-01. The first column shows the modified base level for each appropriation (doubled to provide a biennial comparison). The base includes the amounts appropriated by 1997 Act 27 (totaling \$345,000,000), plus: (a) \$500,000 provided for railroad crossing improvement by the Joint Committee on Finance at its September, 1998, meeting under s. 13.10; (b) the allocation of \$120,000,000 in 1999 federal aid and \$7,092,000 in 1998 federal aid by DOT's plan for allocating amounts that the state received above the amounts appropriated for 1998-99 by 1997 Act 27; and (c) standard budget adjustments. The second and third columns show the funding recommended by the Governor and the change to the modified base.

<u>Appropriation</u>	<u>Base Plus Standard Budget Adjustments</u>	<u>1999-01 Governor</u>	<u>Change to Modified Base</u>
Rail Passenger Service	\$6,142,600	\$7,016,700	\$874,100
Local Bridge Improvement	52,576,400	52,576,400	0
Local Transportation Facility Improvement	142,759,400	142,759,400	0
Transportation Enhancements Grants	12,496,000	12,496,000	0
Railroad Crossing Improvement	7,098,600	7,098,600	0
Surface Transportation Grants	5,440,000	5,440,000	0
Congestion Mitigation/Air Quality Improvement	24,997,000	24,997,000	0
Major Highway Development	111,240,200	115,276,600	4,036,400
State Highway Rehabilitation	548,817,400	576,108,400	27,291,000
Highway Maintenance and Traffic Operations	1,760,000	2,388,000	628,000
Highway Administration and Planning	10,600,000	11,400,800	800,800
Departmental Management and Operations	17,061,400	17,598,800	537,400
Motor Vehicle Emission Inspection and Maintenance	<u>4,105,200</u>	<u>5,382,800</u>	<u>1,277,600</u>
TOTAL	\$945,094,200	\$980,539,500	\$35,445,300

The changes shown in the third column reflect the following proposals: (a) the funding of a greater percentage of the costs of the Hiawatha train service with federal funds; (b) the partial funding of inflationary increases for the major highway development program with federal funds; (c) the funding increase provided for the state highway rehabilitation program; (d) the funding of salary and fringe benefit cost increases for state employees in the traffic operations center with federal funds; (e) the increase provided for federal planning and research; and (f) the increase provided for the vehicle emission inspection and maintenance program to fund contract cost increases.

In some cases, the actual appropriation amounts are slightly higher than the amounts shown in the table because certain programs receive federal funds from outside the principal federal highway aid program. In the table, the amounts shown for the following appropriations are lower than amounts in the appropriation schedule for this reason: (a) state highway rehabilitation (in the first column only); (b) rail passenger service (in the second column only); and (c) departmental management and operations (in both the first and second columns).

Joint Finance: Increase estimated federal highway aid by \$17,641,700 in 1999-00 and \$7,918,800 in 2000-01, based on a reestimate of federal highway trust fund revenues. Total federal highway aid would be estimated at \$502.5 million in 1999-00 and \$503.6 million in 2000-01.

The following table shows the biennial distribution of federal highway aid under the Joint Committee on Finance's substitute amendment and compares this allocation to the modified base level and the recommendations of the Governor. The changes to the Governor's allocation reflect the following: (a) a \$6,000,000 increase for the local transportation facility improvement program; (b) a \$6,700,000 increase for the state highway rehabilitation program; (c) a decision to substitute \$13,797,300 in federal funds for SEG funds in the state highway rehabilitation program; and (d) a decision to substitute federal discretionary research funds and federal transit planning funds for \$936,800 in federal highway funds allocated by the Governor for transportation research and planning.

<u>Appropriation</u>	<u>Joint Finance</u>	<u>Joint Finance Change to Modified Base</u>	<u>Joint Finance Change to Governor</u>
Rail Passenger Service	\$7,016,700	\$874,100	\$0
Local Bridge Improvement	52,576,400	0	0
Local Transportation Facility Improvement	148,759,400	6,000,000	6,000,000
Transportation Enhancements Grants	12,496,000	0	0
Railroad Crossing Improvement	7,098,600	0	0
Surface Transportation Grants	5,440,000	0	0
Congestion Mitigation/Air Quality Improvement	24,997,000	0	0
Major Highway Development	115,276,600	4,036,400	0
State Highway Rehabilitation	596,605,700	47,788,300	20,497,300
Highway Maintenance and Traffic Operations	2,388,000	628,000	0
Highway Administration and Planning	10,600,000	0	-800,800
Departmental Management and Operations	17,462,800	401,400	-136,000
Motor Vehicle Emission Inspection and Maintenance	<u>5,382,800</u>	<u>1,277,600</u>	<u>0</u>
TOTAL	\$1,006,100,000	\$61,005,800	\$25,560,500

3. REVENUE BONDING FOR MAJOR HIGHWAY CONSTRUCTION AND ADMINISTRATIVE FACILITIES

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
BR	\$179,666,000	\$5,500,000	\$185,166,000

Governor: Provide increased revenue bonding authority of \$179,666,000 for transportation projects. The increased authorization, along with the \$139,160,000 in existing bonding authorization that remains available, would be available for projects in the next two biennia. The amount provided reflects the proposed use of bond proceeds under the major highway development program (\$113,210,300 in 1999-00 and \$114,407,200 in 2000-01).

Delete the statutory bonding authorization number that includes project authorizations as well as the authority necessary to cover related financing costs. Provide the Building Commission with the authority to determine the amount of additional revenue bond authority necessary to fund expenses associated with revenue bonds and to refund outstanding revenue bonds. Under current law, two bonding authorizations exist: one which indicates the level of authorization to be used for transportation projects and a second that includes the authorization to be used for transportation projects plus an amount to be held in reserve to fund financing costs.

Joint Finance: Increase revenue bonding authority by \$5,500,000 for transportation projects to reflect an increase in bonding for the major highway development program.

4. DEBT SERVICE REESTIMATE [LFB Paper 915]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG-REV	-\$30,399,700	-\$97,700	-\$30,497,400
SEG	-\$1,785,300	\$0	-\$1,785,300

Governor: Decrease funding by \$596,000 SEG in 1999-00 and \$1,189,300 SEG in 2000-01 to reestimate the level of funding needed for payment of principal and interest on existing transportation-related, general obligation bonds at \$6,303,900 SEG in 1999-00 and \$5,710,600 SEG in 2000-01.

In addition, estimate that gross vehicle registration revenues will be reduced by \$92,599,500 in 1999-00 and \$101,452,200 in 2000-01 in order to repay principal and interest on revenue bonds and associated short-term debt. These amounts represent increases of \$10,773,500 in 1999-00 and \$19,626,200 in 2000-01 from the estimated revenue reduction in the base year for revenue bond debt service. The statutes require that debt service payments on transportation-related, revenue bonds be deducted from vehicle registration revenues prior to their deposit in the transportation fund. Consequently, revenue bond debt service is shown as a reduction in revenues, not as an appropriation.

Joint Finance: Reestimate that gross vehicle registration revenues will be reduced by an additional \$2,000 in 1999-00 and \$95,700 in 2000-01 in order to repay principal and interest on revenue bonds and associated short-term debt. Total annual revenue reductions associated with debt service on revenue bonds and short-term borrowing would be \$92,601,500 in 1999-00 and \$101,547,900 in 2000-01. Of the additional debt service, \$75,400 in 2000-01 is associated with a decision to increase the use of bond proceeds in the major highway development program.

5. AD VALOREM TAX EXEMPTION FOR COMPUTERS AND COMPUTERIZED EQUIPMENT [LFB Paper 856]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG-REV	-\$150,000	\$60,000	-\$90,000

Governor: Extend the exemption for mainframe computers, minicomputers, personal computers, networked personal computers, servers, terminals, monitors, disk drives, electronic peripheral equipment, tape drives, printers, basic operational programs, systems software, prewritten software and custom software, which currently applies to property subject to locally-imposed property taxes and to telephone companies subject to state ad valorem taxation, to the property of air carrier, conservation and regulation, municipal electric, pipeline and railroad companies that are also subject to state ad valorem taxation, effective with assessments as of January 1, 1999.

Provide an exemption for fax machines, copiers, cash registers and automatic teller machines for all public utility property subject to ad valorem taxation, effective with assessments as of January 1 of the year following enactment of the bill.

Decrease estimated transportation fund revenue by \$50,000 in 1999-00 and \$100,000 in 2000-01 to reflect the proposed exemptions for property owned by air carriers and railroad companies.

Joint Finance: Modify the provision to extend the property tax exemption for computers and related property to the property of air carrier, conservation and regulation, municipal electric, pipeline and railroad companies subject to state-imposed ad valorem taxes by specifying that the exemption would take effect with property assessed as of January 1, 2000. Delete the provisions establishing an exemption for fax machines, copiers, cash registers and automatic teller machines. Increase estimated transportation fund revenue by \$20,000 in 1999-00 and \$40,000 in 2000-01 to reflect the following: (a) -\$30,000 in 1999-00 and -\$60,000 in 2000-01 to incorporate the estimated fiscal effect of the exemption of computers and related property; and (b) \$50,000 in 1999-00 and \$100,000 in 2000-01 to reflect the deletion of the proposed exemption for fax machines, copiers, cash registers and automatic teller machines.

6. CANCELLED DRAFT RESERVES [LFB Paper 651]

SEG-REV	\$900,000
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Joint Finance: Eliminate the reserve requirement for checks that the state writes to individuals, vendors, contractors and others that are not presented for payment. Instead, establish a SEG, sum sufficient appropriation that would draw its funding from whichever fund had issued the canceled check if the check is presented for payment within six years of its issuance. Estimate that eliminating the reserve would provide \$900,000 in revenues to the transportation fund in 1999-00.

Local Transportation Aid

1. GENERAL TRANSPORTATION AID -- FUNDING LEVEL [LFB Paper 925]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$14,112,200	\$17,001,800	\$31,114,000

Governor: Provide increased funding for general transportation aids as follows:

a. *County Aid.* Provide \$1,181,200 in 1999-00 and \$2,362,300 in 2000-01 to provide a total of \$79,925,500 in 1999-00 and \$81,106,600 in 2000-01. Set the calendar year distribution at \$81,106,600 for 2000 and thereafter. This represents a 3.0% increase for calendar year 2000, with no additional increase for calendar year 2001.

b. *Municipal Aid.* Provide \$3,522,900 in 1999-00 and \$7,045,800 in 2000-01 to provide a total of \$251,262,000 in 1999-00 and \$254,784,900 in 2000-01. Set the calendar year distribution amount at \$254,784,900 for 2000 and thereafter. This represents a 2.8% increase for calendar year 2000, with no additional increase for calendar year 2001. DOT estimates that this would provide a 3.0% increase for share-of-costs aid plus provide sufficient funding for those municipalities with three-year average costs high enough to receive the proposed 3.0% increase in mileage aid.

Establish the mileage aid rate at \$1,644 per mile for calendar year 2000 and thereafter, which represents a 3.0% increase over the \$1,596 per mile rate for calendar years 1998 and 1999. Further, require that payments be made based on the share of costs calculation in the event the amounts calculated under the share of costs and mileage aid components of the transportation aids formula are the same.

Joint Finance: Provide an additional \$5,090,500 in 1999-00 and \$11,911,300 in 2000-01 to fund increases equal to 6.0% in calendar year 2000 and 1.0% in calendar year 2001. Distribute the increased funding as follows: (a) \$1,181,200 in 1999-00 and \$2,779,800 in 2000-01 for counties; and (b) \$3,909,300 in 1999-00 and \$9,131,500 in 2000-01 for municipalities.

Set the calendar year distribution for counties at \$83,469,000 for 2000 and \$84,303,700 for 2001, and thereafter, and for municipalities at \$262,603,400 for 2000 and \$265,229,400 for 2001, and thereafter. Establish the mileage aid rate at \$1,692 per mile for calendar year 2000 and \$1,709 per mile for calendar year 2001, and thereafter.

Suspend the aid calculation formula for calendar year 2000 and 2001 aid payments and provide the percentage increase in total funding uniformly for all aid recipients, based on their 1999 aid payment amounts.

2. **GENERAL TRANSPORTATION AID -- MUNICIPAL MINIMUM GUARANTEE** [LFB Paper 926]

Governor: Increase the minimum annual payment that any municipality shall receive under the formula from 95% of the previous year's payment to 98% of the previous year's payment, which is the current county aid minimum guarantee.

Joint Finance: Delete provision.

3. **GENERAL TRANSPORTATION AID -- LAW ENFORCEMENT COSTS**

Governor/Joint Finance: Provide DOT the authority to determine the portion of law enforcement costs to be used in determining transportation aid payments. Require DOT to make this determination in consultation with representatives of local governments and their associations, as appointed by the DOT Secretary. Allow DOT to establish different portions of law enforcement costs for different classes of counties or municipalities. Highway-related law enforcement cost data are part of the three-year and six-year average costs used in determining payments under the general transportation aid formula and are currently calculated as varying percentages of total law enforcement costs, as outlined in DOT's annual cost reporting manual. Based on the recommendations of the Local Roads and Streets Council, DOT lowered these percentages, effective with 1997 cost data used in the computation of 1999 aid payments. Specify that the portion of law enforcement costs determined by DOT under this provision would first apply to transportation aid amounts calculated for calendar year 2000.

4. **GENERAL TRANSPORTATION AID -- LOCAL HIGHWAY MILEAGE** [LFB Paper 927]

Governor: Require local governments, beginning with calendar year 2001, to annually submit to DOT, for the purposes of determining transportation aid, either: (a) a certified highway mileage plat, if changes in mileage have occurred within their jurisdiction since the last plat was submitted; or (b) a certified statement that no changes in jurisdictional mileage have occurred since the last certified plat was filed. Specify that DOT may require that a certified plat be submitted for odd-numbered years following a federal decennial census. Currently, a certified plat is required upon incorporation of a city or village and on a biennial basis if changes in mileage have occurred. Delete the requirement that a local government must also submit a certified mileage plat to the county clerk.

Define jurisdictional mileage as highway mileage, rather than the mileage of streets and roads. Currently, streets and roads have no specific statutory definition for transportation aid purposes, while highways are defined in statute as all public ways and thoroughfares.

Specify that changes in jurisdictional mileage shall be reflected in transportation aid calculations for the year following the submission of a certified plat, rather than in the odd-numbered year following such submission.

Delete the requirement that DOT verify road mileage every ten years. Rather, require DOT to assess the accuracy of mileage and other data concerning highways that is reported by local governments. Allow DOT to use field investigations to verify a portion of the data that constitutes a valid random sample or a specialized sample considered appropriate by DOT.

Joint Finance: Modify provision to specify that the changes in jurisdictional mileage would be reflected in transportation aid calculations for the second calendar year following the year in which the plat was certified.

5. MASS TRANSIT OPERATING ASSISTANCE -- FUNDING LEVEL [LFB Papers 928 and 929]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$7,731,400	\$4,866,500	\$12,597,900

Governor: Provide \$2,941,700 in 1999-00 and \$4,789,700 in 2000-01 for mass transit operating assistance and make modifications to the program as follows:

a. *Two-Tiered Payment System.* Modify the existing three-tiered structure by combining Tiers B and C. As a result, a two-tiered system would be created in calendar year 2000, consisting of Tier A, which includes those systems having annual operating expenses greater than \$20 million (Madison and Milwaukee systems) and Tier B, which includes those systems having annual operating expenses less than \$20 million (all other systems). Tier C would continue to apply for program purposes through calendar year 1999. Delete statutory language associated with the five-tier funding system, which was last effective for calendar year 1997.

b. *Payment Funding Levels.* Provide \$2,941,700 in 1999-00 and \$4,789,700 in 2000-01 to fully fund calendar year 1999 payments and to provide a 3% increase in funding, beginning in calendar year 2000. The funding would be distributed as follows: (a) \$2,222,100 in 1999-00 and \$3,543,700 in 2000-01 for Tier A; (b) \$1,837,400 in 1999-00 and \$6,095,800 in 2000-01 for Tier B, which also reflects the combining of the systems in Tiers B and C in calendar year 2000; and (c) -\$1,117,800 in 1999-00 and -\$4,849,800 in 2000-01 for Tier C, which reflects the deletion of Tier C in calendar year 2000 (the remaining \$3,732,000 in 1999-00 would fully fund 1999 Tier C payments). Set the calendar year distribution amounts for 2000, and thereafter, at \$65,012,900 for Tier A and \$24,100,400 for Tier B.

Joint Finance: Delete the Governor's recommendation to modify the current two-tier system by combining Tiers B and C. Rather, create a four-tier system that places the Milwaukee County and Milwaukee user-side subsidy systems in one tier (Tier A-1) and the Madison system in a separate tier (Tier A-2), effective with calendar year 2000 payments. Current law Tiers B and C would be unchanged.

Provide an additional \$973,300 in 1999-00 and \$3,893,200 in 2000-01 to provide a 7.5% increase in funding, beginning in calendar year 2000, for each tier of systems. Set the calendar year distribution amount for each tier as follows: (a) \$53,555,600 for 2000, and thereafter, for the tier containing the Milwaukee County and Milwaukee user-side subsidy transit systems (Tier A-1); (b) \$14,297,600 for 2000, and thereafter, for the tier containing the Madison transit system (Tier A-2); (c) \$19,804,200 for 2000, and thereafter, for Tier B systems; and (d) \$5,349,100 for 2000, and thereafter, for Tier C systems. These calendar year amounts represent a 7.5% increase over the corresponding 1999 amounts for each tier.

6. MASS TRANSIT OPERATING ASSISTANCE -- FORMULA CHANGES [LFB Papers 928, 929 and 931]

Governor: Make the following modifications to the mass transit operating assistance allocation formula:

a. *Maintenance Expenses.* Include transit system maintenance expenses as an eligible operating expense in calculating the distribution of mass transit operating assistance. Currently, DOT generally includes maintenance expenses as operating costs. However, certain Tier A systems that receive direct federal funding may fund maintenance expenses with federal capital improvement funds and not report these expenditures as operating expenses for state aid purposes.

b. *Uniform Payment Percentage Requirement.* Delete the statutory reference requiring that the sum of state and federal funding must fund a uniform percentage of applicants' operating expenses within each tier, effective with calendar year 2000 payments. Rather, require that DOT allocate state aid to each applicant in an amount equal to a uniform percentage, established by the Department, of applicants' projected operating expenses within each tier for the calendar year, subject to the proposed maximum annual allocations and the limits, based on local match amounts, proposed for those applicants served exclusively by a shared-ride taxi system.

c. *Maximum Annual Allocations.* Create the following maximum annual combined state and federal aid allocation levels: (1) for a Tier A system, the sum of state and federal aid for operating expenses may not exceed 50% of the eligible applicant's annual operating expenses (only federal aid directly apportioned to the system or urbanized area served by the system or that DOT allocates under the mass transit operating assistance program would be counted for this purpose); and (2) for Tier B systems, effective with calendar year 2000 payments, the sum of

state and federal aid for operating expenses may not exceed 65% of the eligible applicant's annual operating expenses (only federal aid allocated under the mass transit operating assistance program would be counted for this purpose). Establish transitional provisions for Tier B systems operating in urbanized areas, effective with calendar year 2000 and 2001 payments, to limit combined state and federal operating aid to 60% of that portion of the eligible applicant's operating expenses associated with service provided within an urbanized area. Operating expenses associated with service provided within a nonurbanized area would be subject to a 65% limit.

d. *Federal Mass Transit Aid.* Allow DOT to require any applicant eligible for transit aid to notify the Department of the amount of federal aid under the applicant's discretion that the applicant intends to apply toward annual operating expenses, including maintenance expenses. Require DOT to determine the amount of federal aid available for each Tier B system and allow the Department to require systems within Tier B to accept the federal aid as a condition of receiving state aid.

Joint Finance: Modify the Governor's recommendation that would allow DOT to require any applicant eligible for transit aid to notify the Department of the amount of federal aid under the applicant's discretion that the applicant intends to apply toward annual operating expenses, including maintenance expenses, so that this provision would apply only to Tier B and Tier C systems.

Delete the Governor's remaining recommendations and make the following modifications to the current law formula:

Tier A-1 and Tier A-2 Systems. Delete the current formula for distributing aid to the current Tier A systems. Rather, place the Milwaukee County and Milwaukee user-side subsidy systems in one tier (Tier A-1) and the Madison system in a separate tier (Tier A-2), effective with calendar year 2000 payments and require DOT to distribute the amount specified in statute to the local government providing the local match for each system. Specify that if this local government sponsors more than one system, that the aid shall be distributed between the systems at the discretion of the local government

Tier B and Tier C Systems. Retain the current law requirement that the sum of state and federal funding must fund a uniform percentage of applicants' operating expenses within each tier. Delete the current law requirement that annual state transit aid payments for Tiers B and C be based on estimated operating costs for that year, effective with calendar year 2000 payments. Rather, require that annual transit aid payments be made based on actual operating costs from the second preceding year. Specify that any system beginning or adding service in a year for which an aid payment is made would have to notify DOT of its intent to do so in the year prior to the service expansion and would have to provide an estimate of the projected annual operating costs for the service expansion. Require DOT to include these costs, to the extent the Department determines they are reasonable, plus the estimated costs of new service in the year

preceding the aid payment, in the cost base for calculating aid payments, with an adjustment for inflation to make all the aidable costs expressed in the same year's dollars.

7. MASS TRANSIT OPERATING ASSISTANCE -- LOCAL MATCH REQUIREMENTS
[LFB Paper 930]

Governor: Effective with calendar year 2000 contracts, require a local match, exclusive of user fees, for bus systems equal to at least 10% of each eligible applicant's annual operating expenses, rather than at least 20% of their annual state aid allocation. Further, except for the initial year of service, beginning with calendar year 2001, specify that no shared-ride taxi system may receive a state aid amount in excess of the previous calendar year amount unless the system provides a local match equal to at least 10% of the system's operating expenses. For calendar year 2000, specify that no shared-ride taxi system that received a 1999 payment can receive an amount that exceeds that payment, unless the system provides a local match equal to at least 5% of its operating expenses. Provide that if an eligible applicant is served exclusively by a shared-ride taxi system and voluntarily complies with the local match requirements, the applicant may be exempt from any required management performance audit. Shared-ride taxi systems are not currently required to provide a local match. To reflect the new local match requirements, establish that the current state aid maximum, which limits state aid to five times the local match amount, would no longer apply after calendar year 1999.

Joint Finance: Delete provision and, instead, specify that DOT may not enter into a mass transit aid contract for any system for calendar year 2000 and thereafter unless the Department has promulgated the administrative rules required under current law for cost-efficiency standards and the contract requires the system to comply with these standards as a condition of receiving aid.

8. ELDERLY AND DISABLED TRANSPORTATION AIDS

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
FED	\$200,000	\$0	\$200,000
SEG	585,400	969,900	1,555,300
SEG-L	<u>50,000</u>	<u>42,900</u>	<u>92,900</u>
Total	\$835,400	\$1,012,800	\$1,848,200

Governor: Provide increased funding for elderly and disabled specialized transportation services as follows:

a. *County Assistance.* Provide \$193,200 SEG in 1999-00 and \$392,200 SEG in 2000-01. Total funding would equal \$6,632,800 SEG in 1999-00 and \$6,831,800 SEG in 2000-01. This would provide a 3% annual increase.

b. *Capital Grant Program.* Provide \$100,000 FED and \$25,000 SEG-L annually to reflect a reestimate of federal and local funding in the biennium. Total capital grant funding would equal \$1,500,000 FED and \$797,800 SEG annually, with a local match of \$574,500 SEG-L annually. Convert the state aid capital grant appropriation from an annual appropriation to a continuing appropriation.

Joint Finance: Provide increased funding for elderly and disabled specialized transportation services as follows: (a) \$257,600 SEG in 1999-00 and \$540,900 SEG in 2000-01 to provide a 7.0% annual increase in county assistance funding; (b) \$55,800 SEG in 1999-00 and \$115,600 SEG in 2000-01 to provide a 7.0% annual increase in state funding for capital assistance; and (c) \$14,000 SEG-L in 1999-00 and \$28,900 SEG-L in 2000-01 to reflect the local match for the increased capital assistance funding.

9. ELDERLY AND DISABLED CAPITAL GRANT PROGRAM

Governor/Joint Finance: Delete the current requirement that total state and federal funding for a capital assistance project for the elderly and disabled may not exceed 80% of the project costs and, instead, require that: (a) a capital grant may not exceed a percentage of project costs established by a DOT administrative rule; and (b) for the specific types or categories of equipment involved, a capital grant may not exceed the percentage of costs eligible for federal aid. Correct the cross-reference with federal code that is used in determining eligible grant applicants.

10. LIFT BRIDGE AID [LFB Paper 932]

SEG	\$488,400
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Joint Finance: Provide \$413,400 in 1999-00 and \$75,000 in 2000-01 to increase funding for lift bridge aid to reflect actual 1998 costs and estimated 1999 costs. Total funding for lift bridge aid would be \$1,763,400 in 1999-00 and \$1,425,000 in 2000-01.

11. EXPRESSWAY POLICING AID

SEG	\$140,000
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Joint Finance: Provide \$70,000 annually for expressway policing aid to Milwaukee County. Total funding for expressway policing aid would be \$970,800 annually.

Local Transportation Projects

1. MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS

FED	\$2,000,000
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Governor/Joint Finance: Provide \$1,000,000 annually in a new, biennial appropriation for Milwaukee lakeshore bicycle and pedestrian facilities grants. Require DOT to make grants to the Department of Natural Resources for the construction of such facilities along Lake Michigan in the City of Milwaukee, which would be done in conjunction with the establishment of a Milwaukee lakeshore state park. Specify that no money may be encumbered from this appropriation after June 30, 2002. The establishment of the Milwaukee lakeshore state park is summarized in a separate item under "Natural Resources--Forests and Parks."

The money that would be provided in this item would come from the \$241 million in federal interstate cost estimate substitute funds that have been set aside for the state, but have not been used. Originally, these funds were intended for the construction of a transitway or high-occupancy vehicle lanes between Milwaukee and Waukesha. The federal 1999 appropriations act for transportation, however, included a provision that allows the Governor to submit a request for using these funds for a different project or projects. Until April 21, 1999, approval of such a request is at the discretion of the Secretary of the U.S. Department of Transportation. During that time, any request submitted by the Governor must be done after consultation with appropriate local government officials. After that date, the Secretary must approve the Governor's request for the use of half of these funds (\$120.5 million), and the Governor does not need to consult with local officials on this portion. Consultation with local officials would still be required to use the remainder, and the Secretary would retain discretion to approve or deny any request for this portion. In either case, any request for a substitute project or projects must be made by October 1, 2000.

2. CHICAGO-MILWAUKEE PASSENGER RAIL SERVICE

FED	\$874,100
SEG	- 585,400
Total	\$288,700

Governor/Joint Finance: Provide an increase of \$270,000 FED and a reduction of \$311,300 SEG in 1999-00 and an increase of \$604,100 FED and a reduction of \$274,100 SEG in 2000-01 to fund: (a) Wisconsin's share of the costs in the third year of a three-year contract with Amtrak for the Chicago to Milwaukee Hiawatha train service; and (b) the anticipated costs for a new contract for the service in 2000-01. A determination that the Hiawatha service is a form of construction mitigation allows the state to fund 90% of these costs with federal highway funds, instead of 80%, as had been the case. When combined with base funding for this service (\$3,071,300 FED and \$682,500 SEG), this request would establish total funding at \$3,712,500 for 1999-00 (\$3,341,300 FED and \$371,200 SEG) and \$4,083,800 in 2000-01 (\$3,675,400 FED and \$408,400 SEG).

3. MIDWEST RAIL INITIATIVE -- CROSSING DEVICES

FED	\$500,000
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Governor/Joint Finance: Provide \$500,000 in 1999-00 to upgrade four railroad crossing warning devices in Racine and Milwaukee Counties along the corridor of the high-speed, passenger rail service proposed by the midwest rail initiative (MRI). The MRI is a coalition of eight, midwestern states that recently developed a plan for establishing 110-miles per hour train service along several routes in those states, with a hub at Chicago. Included in this plan is a route between Chicago and Minneapolis, via Milwaukee and Madison, and a route (with 79-miles per hour service) between Milwaukee and Green Bay.

The federal funding for this item would come from the Federal Railroad Administration. Funding for the high-speed rail corridor between Chicago and Minneapolis was earmarked by the federal Transportation Equity Act for the 21st Century (TEA-21). The upgrades would allow the existing crossing gates and signals to operate with high-speed trains.

4. FREIGHT RAIL PRESERVATION PROGRAM

BR	\$4,500,000
SEG	<u>569,500</u>
Total	\$5,069,500

Governor/Joint Finance: Provide an increase in general obligation bonding authority of \$4,500,000 for the freight rail preservation program to provide total bonding authority of \$23,500,000. In addition, provide an increase of \$189,800 SEG in 1999-00 and \$379,700 SEG in 2000-01 for the payment of principal and interest on the requested general obligation bonds. Bonding in this program may be used to acquire rail property and fund grants and loans for rehabilitation and construction on state-owned railroad property. The \$4,500,000 increase in bonding authority would provide the same level of funding that was provided during the 1997-99 biennium.

5. FREIGHT RAIL INFRASTRUCTURE IMPROVEMENT PROGRAM

SEG-L	\$1,500,000
SEG	<u>- 1,500,000</u>
Total	\$0

Governor/Joint Finance: Delete \$500,000 SEG in 1999-00 and \$1,000,000 SEG in 2000-01 for the freight rail infrastructure improvement program (FRIIP) and provide corresponding SEG-L increases. FRIIP provides loans at low or no interest to railroads, shippers or local governments to perform a variety of capital improvements related to freight rail service. This item would reduce SEG appropriations, but would maintain the program at a constant size by replacing the SEG reductions with funding from loan repayments, which are treated as SEG-L. Base funding for the program is \$4,079,800 SEG and \$1,500,000 SEG-L. The 1997-99 budget also replaced SEG funding with loan repayments.

6. FREIGHT RAIL ASSISTANCE -- INTEREST RATE [LFB Paper 935]

Governor: Require DOT to promulgate a rule establishing an interest rate for loans made under the freight rail infrastructure improvement program (FRIIP) and the freight rail preservation program (FRPP). Under FRIIP, DOT makes loans to railroads, shippers or local governments to make capital improvements related to freight rail service. Under FRPP, DOT may make loans or grants for the acquisition, rehabilitation or construction of rail property for the purpose of preserving rail service. If a grant is made under FRPP that only partially covers the cost of a project, DOT may make a loan to cover up to 15% of the cost of the project (to date, DOT has not made any loans under FRPP). Under current practice, DOT establishes an interest rate on FRIIP loans so that the recipient's expected rate of return from the project is twice the prevailing cost of capital. Using this procedure, all but three of the loans made under the program have been no-interest loans.

In the Executive Budget Book, the administration indicates that this provision was intended to establish a low-level interest rate for FRIIP loans. As the provision is written, DOT would be required to establish a rate for both FRIIP and FRPP, but any rate, including 0%, could be established.

Joint Finance: Delete provision.

7. RAILROAD GRADE CROSSINGS COMMITTEE [LFB Paper 816]

Governor: Create a Railroad Grade Crossings Committee composed of two members appointed by the Secretary of the Department of Transportation and two members appointed by the Office of the Commissioner of Railroads (OCR). Require the Committee to review each at-grade railroad crossing in the state and permit the Committee to recommend to OCR that improvements be considered to any crossing if the Committee determines that existing warning or safety devices or other conditions at the crossing do not adequately protect and promote public safety. Specify that provisions requiring DOT to pay the cost of a crossing project that has been ordered by the OCR only apply if: (a) the Committee or the DOT Secretary has recommended that the OCR consider improvements at the crossing; or (b) the OCR determines that immediate improvements are needed at the crossing to protect public safety. This would not apply to OCR orders issued before the effective date of the bill.

Specify that recommendations of the Committee shall be made by a majority of the Committee members, but that if no majority agrees on whether or not to recommend a crossing for improvements, then the DOT Secretary shall make that recommendation. Specify that a majority of the members of the Committee may reverse a recommendation by providing notice of the reversal to the OCR and the DOT Secretary.

Require the Committee to: (a) maintain a railroad grade crossings database; (b) establish threshold requirements for recommendations made under this provision; and (c) recommend to the DOT Secretary desirable funding levels for the railroad crossing improvement program.

Require the OCR and the DOT Secretary to make appointments to the Committee within 45 days of the effective date of the bill. Eliminate the Committee after it has reviewed every railroad grade crossing in the state and made its final recommendations, or on July 1, 2002, whichever occurs sooner.

There are currently 4,457 public, at-grade railroad crossings in the state, as well as 2,704 private crossings and 103 pedestrian crossings.

Joint Finance: Delete provision.

8. HARBOR ASSISTANCE PROGRAM

BR	\$3,000,000
SEG	379,700
Total	\$3,379,700

Governor/Joint Finance: Provide an increase in general obligation bonding authority of \$3,000,000 for the harbor assistance program to provide total bonding authority of \$18,000,000. In addition, provide \$126,500 SEG in 1999-00 and \$253,200 SEG in 2000-01 for the payment of principal and interest on the requested general obligation bonds. Total funding available for harbor assistance in 1999-01 would be \$4,000,000 (\$3,000,000 in bonding authority and \$1,000,000 SEG), which would maintain the program at the same level as during the 1997-99 biennium.

9. RICHARD I. BONG AIR MUSEUM [LFB Paper 936]

Governor: Require DOT to allocate \$1,000,000 FED in 1999-00 from the transportation enhancements program for making a grant to the City of Superior for the construction of the Richard I. Bong Air Museum. Specify that the grant may not exceed 90% of the cost of constructing the museum. The total estimated cost of the museum is \$3.5 million. The total appropriation for the transportation enhancements program in 1999-00 is maintained at the base level of \$6,248,000 FED.

Joint Finance: Specify that the grant made for the museum may not exceed 80%, instead of 90%, of the cost of constructing the museum.

10. LOCAL AREA COMPUTER NETWORK ADMINISTRATION

Governor/Joint Finance: Transfer \$80,000 annually from the aeronautics assistance and rail service assistance appropriations (\$40,000 annually from each) to the highway administration and planning appropriation to reflect the transfer of the responsibility for the support of local area computer networks (LANs) used in the administration of those programs

to a central funding source within the Division of Transportation Infrastructure Development (DTID). Since the creation of DTID in 1996, the highway administration and planning appropriation has funded most of the administrative costs of all transportation aid, transportation assistance and highway programs. This item would transfer funds from the aeronautics assistance and railroad assistance programs based on their estimated share of LAN usage.

11. WATER PERMIT EXEMPTION FOR OTHER TRANSPORTATION PROJECTS

Governor/Joint Finance: Include all transportation facilities that are under the supervision of DOT, instead of just highways and bridges (as under current law), in a provision that exempts design, location, construction, reconstruction, maintenance or repair activities related to these facilities from various prohibitions, permits and public hearing requirements related to water regulation. Under current law, in lieu of applying for water permits, DOT is required to notify DNR of all highway and bridge maintenance or construction projects that affect the waters of the state prior to the commencement of the work. To fulfill this requirement, DOT and DNR have a cooperative agreement under which DOT has agreed to comply with DNR recommendations regarding how to complete projects in compliance with applicable water regulatory requirements. This item would allow DOT to extend the provisions of the cooperative agreement to railroad, airport, harbor and mass transit projects.

12. BICYCLE AND PEDESTRIAN FACILITIES PROGRAM

Governor/Joint Finance: Eliminate the requirements that DOT must award grants for projects in the bicycle and pedestrian facilities program and solicit applications for these grants, to be submitted prior to April 1, on an annual basis. The Department currently awards grants for some bicycle and pedestrian projects on a multi-year basis in the transportation enhancements program. The transportation enhancements appropriation is the funding source for the bicycle and pedestrian facilities program.

13. SIXTH STREET BRIDGE -- FUNDING [LFB Paper 937]

Joint Finance: Provide \$51,000,000 FED, \$6,500,000 SEG and \$2,500,000 SEG-L in 1999-00 for the accelerated local bridge improvement assistance program. Specify that the costs for any bridge under the accelerated local bridge improvement program for which an agreement was reached between DOT and local governments prior to June 30, 1993, but for which no contract for construction has been awarded prior to May 1, 1999, shall be paid as specified in an agreement entered into on or after April 20, 1999, between the state and the city and county in which the bridge is located, instead of, under current law, 75% by the state, 12.5% by the city and 12.5% by the county.

FED	\$51,000,000
SEG	6,500,000
SEG-L	<u>2,500,000</u>
Total	\$60,000,000

On April 20, 1999, the Governor entered into an agreement with the City and County of Milwaukee on the construction of the Sixth Street Bridge under which it was determined that the parties would use federal interstate cost estimate (ICE) funds for 85% of the cost of the design and construction of the bridge, estimated at \$60.0 million. State transportation funds and local funds would provide the remaining 15%, which is the matching percentage required for the use of the ICE funds. Under the agreement, the current-law cost sharing percentages for bridges approved prior to June 30, 1993 (75%/12.5%/12.5%), would apply to \$52.0 million of the \$60.0 million cost. The agreement, however, would require the local governments to pay 50% of the cost of the remaining \$8.0 million, which was determined to be the additional cost of nonessential design features of the bridge, while the state would pay the remaining 50% of that portion. This item would provide FED funds to reflect the use of ICE funds, provide SEG funds to provide the state's share of the match and provide SEG-L funds to reflect the local match. In addition, it would allow the bridge to be funded according to the funding shares specified in the agreement.

14. SIXTH STREET BRIDGE -- DESIGN-BUILD CONTRACT

Joint Finance: Permit DOT to enter into a design-build contract, defined as a contract under which the engineering, design and construction services for a project are provided by a single entity, for any bridge under the accelerated local bridge improvement program for which no contract for construction has been awarded prior to May 1, 1999, provided that: (a) the contract is awarded through a competitive selection process that utilizes, at a minimum, contractor qualifications, quality, completion time and cost as award criteria; (b) the contract is approved by the federal Department of Transportation; and (c) the contract is approved by the Governor. Specify that the contractor must be prequalified by DOT as a design consultant and as a contractor. Require DOT, not later than five years after the effective date of the bill, to submit a report to the Governor and Legislature describing the effectiveness of these design-build contracting procedures. The Sixth Street Bridge in Milwaukee is currently the only bridge to which this provision would apply.

15. LOCAL TRANSPORTATION FACILITY IMPROVEMENT ASSISTANCE

FED	\$6,000,000
SEG-L	<u>1,500,000</u>
Total	\$7,500,000

Joint Finance: Provide \$6,000,000 FED and \$1,500,000 SEG-L in 1999-00 in the local transportation facility improvement assistance appropriation for local highway projects that are eligible for federal highway aid. The SEG-L amount reflects the 20% local share for this program.

16. DISCRETIONARY TOWN ROAD IMPROVEMENT PROGRAM

SEG	\$1,000,000
SEG-L	<u>1,000,000</u>
Total	\$2,000,000

Joint Finance: Provide \$1,000,000 SEG and \$1,000,000 SEG-L in 1999-00 for the local roads improvement program to fund an increase in the discretionary town road improvement (TRIP-D) component of the program. Require DOT to allocate \$1,500,000, instead of \$500,000, for the TRIP-D program in 1999-00. The annual set-aside for the TRIP-D program would remain at \$500,000 in 2000-01 and thereafter. The TRIP-D program provides funding for improvements with total costs of \$100,000 or more. The SEG-L amount reflects the 50% local share for this program.

17. PASSENGER RAILROAD STATION IMPROVEMENT GRANT PROGRAM

SEG	\$60,000
SEG-L	<u>120,000</u>
Total	\$180,000

Joint Finance: Provide \$60,000 SEG in 1999-00 a new, biennial appropriation for making grants for the construction or rehabilitation of passenger railroad stations along existing or proposed passenger rail routes. Specify that eligible applicants for this program include cities, villages, towns, counties or agencies of these local governments or private entities. Specify that the amount of the grant may not exceed: (a) one-third of the total cost of the project; and (b) \$60,000. Create a SEG-L appropriation to reflect the local match provided by grant recipients and provide \$120,000 SEG-L in 1999-00 in this appropriation. Prohibit DOT from awarding a grant to a local government under this program unless the local governing body has passed a resolution supporting the proposed project. Require DOT to promulgate rules for administering the grant program.

18. AVIATION CAREER EDUCATION PROGRAM

	Funding Positions	
SEG	\$90,000	1.00

Joint Finance: Provide \$23,500 and 1.0 position in 1999-00 and \$66,500 and 1.0 position in 2000-01 in a new, annual appropriation for the aviation career education program and transfer \$71,800 annually from the aeronautics assistance SEG appropriation to this new appropriation. Require DOT to administer an aviation career education program to provide training and apprenticeship opportunities associated with aviation careers for socially and economically disadvantaged youth. DOT currently administers an aviation career education program under general statutory authority that requires the Department to formulate programs of aviation and education and disseminate information regarding such programs in cooperation with educational institutions of the state. Under the program, DOT hires youths as limited-term employees to work in jobs with participating aviation employers. This item would transfer the existing base funding for the program to a new appropriation for the program, provide additional funding to increase the number of participants from 20 to 40 and create a permanent position to administer the program.

19. KINNICKINNIC RIVER BIKE TRAIL IN MILWAUKEE

Joint Finance: Require DOT to approve funding for a project known as the Kinnickinnic River Bike Trail in the City of Milwaukee before approving any other project for funding in the congestion mitigation and air quality (CMAQ) improvement program, provided that the project is eligible for funding under the program. The estimated cost of this project is \$2.6 million. This item would require DOT to allocate \$2.1 million to fund the 80% federal share of this project. The CMAQ FED appropriation would be funded at \$12,498,500 annually, which is the base level for this appropriation.

20. RAILROAD CROSSING GATES

Joint Finance: Require DOT to allocate \$287,100, from the Department's SEG and FED railroad crossing improvement appropriations, for the installation of railroad crossing gates at the following intersections with the Wisconsin Central Railroad tracks in the City of Stevens Point: (a) West Clark Street; and (b) Water Street. Require the City of Stevens Point to pay at least 10% of the cost of installing these railroad crossing gates.

Require DOT, from the Department's SEG and FED railroad crossing improvement appropriations, to fund the cost of installing railroad crossing gates at the intersection of the Canadian Pacific Railroad tracks and Swarthout Road, northwest of the Village of Fall River in Columbia County. The installation of railroad crossing gates typically costs about \$130,000.

Total funding for the Department's SEG and FED railroad crossing improvement appropriations would be \$3,999,300 annually, which is the base for these appropriations.

21. FLAMBEAU RIVER RECREATION BRIDGE IN PARK FALLS

Joint Finance: Require DOT to allocate \$190,400 FED in the 1999-01 biennium from the transportation enhancements appropriation for the Flambeau River Recreational Bridge project in the City of Park Falls. The transportation enhancements FED appropriation would be funded at \$6,248,000 annually, which is the base level for this appropriation.

22. LITTLE LAKE BUTTE DES MORTS TRESTLE TRAIL CAUSEWAY IN MENASHA

Joint Finance: Require DOT to allocate \$80,000 FED in the 1999-01 biennium from the transportation enhancements appropriation for the Little Lake Butte des Morts Trestle Trail Causeway project in the City of Menasha. Specify that the amount provided for this project by DOT may not exceed 50% of the cost of the project. The transportation enhancements FED appropriation would be funded at \$6,248,000 annually, which is the base level for this appropriation.

23. AIRPORT PERIMETER FENCING

Joint Finance: Require DOT to provide a 20% SEG match for any federal funds received during the 1999-01 biennium for the construction of airport perimeter fencing.

24. ALLOCATION OF FEDERAL HAZARD ELIMINATION FUNDS

Joint Finance: Require DOT, when allocating federal hazard elimination safety funds, to consider the reduction in motor vehicle accidents that will result from proposed projects, except that if the proposed project will reduce the response time of emergency vehicles, the Department shall consider both the reduction in motor vehicle accidents that will result and the public safety benefits that will result from a reduction in the response time of emergency vehicles.

25. BROWNFIELDS -- PROMOTION OF TRANSPORTATION PROGRAMS FOR REDEVELOPMENT

Joint Finance: Require DOT to promote the following programs in a manner that ensures that the programs assist the restoration of the environment and redevelopment of brownfields to the greatest extent possible: (a) programs funded from the local transportation facility improvement assistance appropriation; (b) the transportation facilities economic assistance and development program; (c) the transportation enhancements program; and (d) the transportation infrastructure loan program.

State Highway Program

1. STATE HIGHWAY REHABILITATION [LFB Paper 945]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
FED	\$22,758,400	\$20,497,300	\$43,255,700
SEG	0	- 13,797,300	- 13,797,300
Total	\$22,758,400	\$6,700,000	\$29,458,400

Governor: Provide \$6,605,100 in 1999-00 and \$16,153,300 in 2000-01 to provide increases of 1.2% and 1.8%, respectively, for the state highway rehabilitation program.

The following table shows the funding for the program by funding source. The FED increases reflect the funding provided by this item. The SEG decreases reflect the net of the following: (a) standard budget adjustments (-\$451,700 in 1999-00 and -\$472,900 in 2000-01); (b) a separate item that would transfer funds to the highway administration appropriation (-\$382,100 in 1999-00 and -\$370,800 in 2000-01) to fund some of the costs of complying with new federal stormwater management regulations; and (c) a separate item that would provide funds (\$15,800 annually) that would then be transferred to the public safety radio management PR appropriation to provide the state highway program's share of an increase in funding provided by the bill for the public safety radio management program.

<u>Fund</u>	<u>1998-99 Base*</u>	<u>Governor</u>		
		<u>1999-00</u>	<u>2000-01</u>	<u>Biennial Total</u>
SEG	\$256,751,300	\$255,933,300	\$255,923,400	\$511,856,700
FED	<u>276,675,000</u>	<u>283,280,100</u>	<u>292,828,300</u>	<u>576,108,400</u>
TOTAL	\$533,426,300	\$539,213,400	\$548,751,700	\$1,087,965,100

* Includes \$73,710,300 FED that was provided by DOT's plan for allocating additional 1999 federal aid, approved by the Joint Committee on Finance at its December meeting under s. 13.10.

The amount shown in the FED appropriation in 1998-99 includes \$2,266,300 that was provided by the 1997-99 biennial budget act to estimate funds that the state was expected to receive to perform preliminary engineering for the East-West Corridor reconstruction project in Milwaukee and Waukesha counties. DOT decided not to do this preliminary engineering and so did not seek or receive this \$2,266,300 in federal funding, which would have come from a special category of funds that was reserved for the East-West Corridor project. Although the funding provided by the bill is expressed as an increase over a base that includes this special category of funding, the FED amounts provided for the rehabilitation program in 1999-00 and 2000-01 include only funding from the main federal highway aid program.

Joint Finance: Provide an additional \$12,110,100 FED and delete \$5,410,100 SEG in 1999-00 and provide an additional \$8,387,200 FED and delete \$8,387,200 SEG in 2000-01. The total change to the Governor would be an increase of \$6,700,000 in 1999-00 and the total above-base increase for the program under this item would be \$13,305,100 in 1999-00 and \$16,153,300 in 2000-01, which would provide annual increases of 2.5% in 1999-00 and 0.5% in 2000-01.

The following table compares the total funding provided for the program under the bill and under the Joint Finance Committee's substitute amendment. The amounts reflect this item and a separate item that would provide \$160,800 SEG in 1999-00 for the construction of sidewalks along STH 54 in Portage County.

<u>Fund</u>	<u>Governor</u>		<u>Joint Finance</u>	
	<u>1999-00</u>	<u>2000-01</u>	<u>1999-00</u>	<u>2000-01</u>
SEG	\$255,933,300	\$255,923,400	\$250,684,000	\$247,536,200
FED	<u>283,280,100</u>	<u>292,828,300</u>	<u>295,390,200</u>	<u>301,215,500</u>
TOTAL	\$539,213,400	\$548,751,700	\$546,074,200	\$548,751,700

2. MAJOR HIGHWAY DEVELOPMENT -- FUNDING LEVEL [LFB Paper 946]

	<u>Governor</u> (Chg. to Base)	<u>Jt. Finance</u> (Chg. to Gov)	<u>Net Change</u>
SEG	\$8,266,400	\$400,000	\$8,666,400
FED	4,036,400	0	4,036,400
SEG-S	<u>6,546,900</u>	<u>5,500,000</u>	<u>12,046,900</u>
Total	\$18,849,700	\$5,900,000	\$24,749,700

Governor: Provide \$1,838,000 SEG, \$1,708,000 FED and \$2,675,000 SEG-S (revenue bond proceeds) in 1999-00 and \$6,428,400 SEG, \$2,328,400 FED and \$3,871,900 SEG-S in 2000-01 to provide 3% annual inflationary increases for the major highway development program. Revenue bond proceeds would provide 53% of the total funding in 1999-00 and 52% of the total funding in 2000-01. The total increases would be \$6,221,000 in 1999-00 and \$12,628,700 in 2000-01.

The following table shows the proposed funding for the program by funding source. The funding in each year of the biennium reflects the net effect of this item, plus the following: (a) standard budget adjustments (-\$60,800 SEG annually); and (b) a separate item that would transfer funds to the highway administration appropriation (-\$61,200 SEG in 1999-00 and -\$59,400 SEG in 2000-01) to fund some of the costs of complying with new federal stormwater management regulations.

<u>Fund</u>	<u>1998-99</u> <u>Base*</u>	<u>Governor</u>		<u>Biennial Total</u>
		<u>1999-00</u>	<u>2000-01</u>	
SEG	\$41,350,000	\$43,066,000	\$47,658,200	\$90,724,200
FED	55,620,100	57,328,100	57,948,500	115,276,600
Bonding	<u>110,535,300</u>	<u>113,210,300</u>	<u>114,407,200</u>	<u>227,617,500</u>
Total	\$207,505,400	\$213,604,400	\$220,013,900	\$433,618,300

* Includes \$14,685,000 FED that was provided by DOT's plan for allocating additional 1999 federal aid, approved by the Joint Committee on Finance at its December meeting under s. 13.10.

Joint Finance: Provide an additional \$5,900,000 SEG in 1999-00 and \$5,500,000 SEG-S (bonding proceeds) in 2000-01 and delete \$5,500,000 SEG in 2000-01. The total, above-base increase for the program under this item would be \$12,121,000 in 1999-00 and \$12,628,700 in 2000-01, which would provide annual increases of 5.8% in 1999-00 and 0.2% in 2000-01.

The following table compares the total funding provided for the program under the bill and under the Joint Finance Committee's substitute amendment.

<u>Fund</u>	<u>Governor</u>		<u>Joint Finance</u>	
	<u>1999-00</u>	<u>2000-01</u>	<u>1999-00</u>	<u>2000-01</u>
SEG	\$43,066,000	\$47,658,200	\$48,966,000	\$42,158,200
FED	57,328,100	57,948,500	57,328,100	57,948,500
Bonding	<u>113,210,300</u>	<u>114,407,200</u>	<u>113,210,300</u>	<u>119,907,200</u>
Total	\$213,604,400	\$220,013,900	\$219,504,400	\$220,013,900

3. MAJOR HIGHWAY DEVELOPMENT -- USH 41 PROJECT ENUMERATION

Governor/Joint Finance: Enumerate the following project in the statutes as a major highway development project: USH 41 from 1.5 miles south of Frog Pond Road in Oconto County to 1.3 miles north of Schacht Road in Marinette County (between the cities of Oconto and Peshtigo). Depending upon which route would be used in constructing this project, the estimated cost ranges from \$48 million to \$79 million.

4. TRANSPORTATION PROJECTS COMMISSION

Joint Finance: Prohibit DOT from preparing an environmental impact statement or an environmental assessment for a potential major highway development project unless the Department has been notified by the Transportation Projects Commission (TPC) that the Commission has approved the potential project for preparation of an environmental impact statement or an environmental assessment, first applying to projects for which DOT commences preliminary engineering or design work or studies on April 1, 2000.

Require DOT to: (a) not later than October 15 of each odd-numbered year, provide a list of potential major highway projects, including those that the Department has initially determined may be recommended to the TPC for approval for preparation of an environmental impact statement or an environmental assessment; and (b) not later than March 15 of each even-numbered year, report to the TPC the potential major highway development projects that the Department recommends be approved for preparation of an environmental impact statement or an environmental assessment. Specify that the TPC may conduct public hearings on potential major highway projects.

Require the TPC, not later than April 15 of each even-numbered year, to notify DOT of those potential major highway projects that the TPC approves for preparation of an environmental impact statement or an environmental assessment or to notify DOT that it does not approve any potential major highway projects for preparation of an environmental impact statement or an environmental assessment.

5. STATE HIGHWAY MAINTENANCE AND TRAFFIC OPERATIONS [LFB Paper 947]

SEG	\$15,412,000
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Governor: Provide \$3,626,700 in 1999-00 and \$11,785,300 in 2000-01 for highway maintenance and traffic operations. This would provide increases of 2.8% in 1999-00 and 6.1% in 2000-01, calculated on a base that excludes costs related to salaries and fringe benefits for state employees.

Joint Finance: Provide \$4,079,300 in 1999-00 and delete \$4,079,300 in 2000-01 to provide an above-base increase of \$7,706,000 annually. This would amount to an increase of 5.9% in 1999-00 with no further increase in 2000-01.

6. OUTDOOR ADVERTISING SIGN INVENTORY SYSTEM [LFB Paper 948]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG-REV	\$1,650,700	-\$1,140,700	\$510,000
SEG	\$510,000	\$0	\$510,000

Governor: Provide \$510,000 in 2000-01 for the procurement of an inventory system for outdoor advertising signs along highways eligible for federal aid. DOT would contract with a vendor to create and maintain the electronic sign database, which would replace the existing system that relies on a paper card file maintained in each district office. The Department indicates that it intends to increase sign permit fees and create an annual renewal fee by administrative rule, which would produce an estimated \$1,650,700 in revenue on an annual basis, beginning in 2000-01. (The bill would not make the changes to sign permit fees that would be needed to generate the revenue, but does reflect the revenue.) There is currently no annual renewal fee for sign permits. The current permit issuance fee, which is established by administrative rule, depends upon the size of the sign and ranges from \$5 to \$100.

Joint Finance: Permit DOT to establish, by rule, an annual sign permit renewal fee. Specify that the failure to pay any permit renewal fee established by DOT within two months of the date on which the payment is due is evidence that the sign has been abandoned.

Require DOT to design a permit renewal fee to collect not more than \$510,000 in 2000-01, if DOT promulgates a rule establishing such a fee during the 1999-01 biennium. Reduce

estimated transportation fund revenue by \$1,140,700 in 2000-01 to reflect the limitation on sign permit renewal revenue.

7. OUTDOOR ADVERTISING ELIGIBILITY CHANGE

Governor/Joint Finance: Specify that, with respect to regulation of outdoor advertising, uses of real property that are authorized by special zoning permission, including uses by conditional use, special exception, zoning variance or conditional permit, may not be considered when determining whether an area is a business area. Under current law, the placement of outdoor signs in areas along federal-aid highways that are outside of areas defined as business areas is generally prohibited. This modification narrows the definition of a business area by excluding areas that are zoned to allow business, industrial or commercial uses only as a conditional use, which would restrict the areas for which DOT may issue sign permits. Prior to a 1986 Court of Appeals decision, DOT did not issue permits in these cases. Due to the decision, however, DOT determined that permits could not be denied for signs in these areas. Recently, the Federal Highway Administration (FHWA) indicated that DOT's practice of issuing permits for these areas is not in compliance with federal law. DOT indicates, therefore, that this change is necessary for the state to be in compliance with federal law. A sanction equal to 10% of the amount the state receives in the principal federal highway aid programs could be imposed by FHWA, which in federal fiscal year 1999 would have amounted to about \$37.0 million.

8. REGULATION OF ON-PROPERTY OUTDOOR ADVERTISING SIGNS

SEG-REV - \$16,300

Governor/Joint Finance: Eliminate restrictions on the allowed number and size of signs that advertise activities conducted on the property on which the signs are located (on-property signs) and which are located outside an incorporated area and adjacent to interstate highways or highways on the federal aid system.

Specify that no on-property sign may be erected where it constitutes a traffic hazard. Specify that on-property signs may be illuminated, except that the following signs are prohibited: (a) signs that contain, include or are illuminated by any flashing, intermittent or moving light or lights, except electronic signs permitted by rule; (b) signs that are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the interstate or federal-aid primary highway and that are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle; and (c) signs that are illuminated such that they obscure or interfere with the effectiveness of an official traffic sign, device or signal.

Specify that DOT is not required to issue permits for on-property signs that conform to these requirements as long as the Department issues permits for other outdoor advertising

signs. Reduce estimated transportation fund revenue by \$7,800 in 1999-00 and \$8,500 in 2000-01 to reflect DOT's intent to stop issuing these permits.

9. TRAFFIC OPERATIONS CENTER

FED	\$628,000
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Governor/Joint Finance: Provide \$314,000 FED annually in the highway maintenance and traffic operations appropriation for the traffic operations center (TOC) to replace the same amount of SEG funds in order to pay 80% of the salary and fringe benefit costs of TOC employees with federal funds instead of SEG funds. Currently, all of the salary and fringe benefit costs for permanent staff associated with the TOC are paid with SEG funds, while 80% of the operations of the TOC are paid with FED funds and 20% are paid with SEG funds. This item would make the payment of the TOC's salary and fringe benefit costs consistent with the payment of the TOC's operations costs. The traffic operations center operates the traffic cameras and monitors, variable message signs and ramp meters on the Milwaukee area freeway system and serves as an emergency vehicle dispatcher in the event of an accident. The bill would not reduce the SEG funds that are currently being used for the TOC's salary and fringe benefit costs, which would allow these funds to be used in the principal highway maintenance and traffic operations program.

10. TRANSFER TO FUND PLANNING GRANTS TO LOCAL GOVERNMENTS [LFB Paper 949]

Governor: Specify that DOT's highway administration and planning FED appropriation may be used to transfer funding to a new, DOA appropriation for making planning grants to local governmental units. Transfer \$1,000,000 FED annually from the DOT appropriation to the DOA appropriation. Under the bill, the amount of funding in DOT's highway administration and planning FED appropriation is \$5,700,400 annually. Additional funding would not be provided to make the transfer to DOA's appropriation, so DOT would have to reduce funding for activities currently funded through this appropriation, which is primarily used for transportation research and statewide transportation planning. Federal law requires each state to designate one agency to administer federal highway aid. Since DOT is the designated agency for Wisconsin, the DOT Secretary would have to approve all grants made by DOA under this program. The creation of the new DOA appropriation and the grant program are summarized in a separate item under "Administration."

Joint Finance: Specify that grants funded with the transferred FED could only be made for purposes related to the transportation element of a comprehensive plan.

11. STORMWATER MANAGEMENT

Governor/Joint Finance: Transfer \$443,300 SEG in 1999-00 and \$430,200 SEG in 2000-01 from the state highway rehabilitation (\$382,100 in 1999-00 and \$370,800 in 2000-01) and major highway development (\$61,200 in 1999-00 and \$59,400 in 2000-01) programs to the highway administration and planning appropriation for administrative costs related to the implementation of a cooperative agreement between DOT and DNR regarding stormwater management.

New federal rules, which are expected to take effect in October, 1999, would expand the number of cities in which stormwater management is required and would require state highway agencies, as well as the affected municipalities, to comply with the regulations. The agreement would allow DOT to be in compliance with the rules by following certain standard practices in those cities, rather than seeking stormwater permits for individual sites. The practices include: (a) reaching agreements with municipalities to coordinate pollution control practices and pollution monitoring; (b) producing storm sewer system maps of DOT facilities (primarily state highways and bridges); (c) screening for illicit discharges originating from DOT facilities; (d) performing maintenance activities, such as street sweeping, designed to minimize pollutants in stormwater runoff; (e) periodically sampling and testing runoff at selected sites; (f) keeping records of pollutant concentrations in stormwater runoff and calculating the amount of pollutants attributable to runoff from DOT facilities; and (g) submitting an annual report to DNR that evaluates the stormwater management program and summarizes the monitoring data.

In addition to the costs related to administration, DOT indicates that the agreement, which also requires the Department to install structural stormwater management controls in conjunction with highway construction projects, will add to the cost of projects in regulated areas. These costs are estimated at \$5,122,400 in 1999-00 and \$5,790,000 in 2000-01.

12. TRANSFER PAVEMENT MARKING POSITIONS TO PLANNING

Governor/Joint Finance: Transfer \$430,100 SEG annually from the maintenance and traffic operations appropriation to the highway administration and planning appropriation to reflect the conversion of 12.0 pavement marking positions to transportation planning positions in transportation district offices in Green Bay, Madison and Waukesha. The new planning positions would be assigned to work with local and regional planners and perform activities related to the following: (a) multimodal planning and corridor studies; (b) programming for transit, rail, harbor and aeronautics projects; (c) highway systems management; and (d) transportation data collection and analysis. DOT indicates that the functions previously performed by the pavement marking employees will be done with remaining pavement marking positions and through contracting with private firms or counties using reallocated base funds.

13. SCENIC BYWAYS PROGRAM

Governor/Joint Finance: Require DOT to develop, implement and administer a program to designate highways or portions of highways in the state that have outstanding scenic, historic, cultural, natural, recreational or archeological qualities as scenic byways. Permit DOT to seek designation by the federal government of a highway designated as a scenic byway by the state as a national scenic byway or as an All-American Road. Require DOT to promulgate rules for the program that are consistent with the federal scenic byways program. Specify that state, local or federal funds appropriated for state highway maintenance and traffic operations can be used for the program. Eliminate obsolete statutory language, inserted by 1997 Act 27, that allowed a one-time grant for the Cassville ferry to be made from the state highway maintenance and traffic operations appropriation.

Under federal law, a state must have a scenic byways program in order to be eligible for federal discretionary grants under the federal scenic byways program, or to have highways designated as federal scenic byways. Grants under the federal program, which may cover up to 80% of the cost of a project, may be used for activities such as the development of a state scenic byways program, safety improvements on scenic byways, the construction of bicycle and pedestrian lanes, rest areas, overlooks or passing lanes along or adjacent to scenic byways, and the development of a scenic byways marketing program.

14. COMPENSATION RESERVES FOR HIGHWAY PROGRAMS [LFB Papers 945 and 946]

SEG-Reserves - \$1,013,300

Joint Finance: Reduce transportation fund compensation reserves by \$289,500 in 1999-00 and \$723,800 in 2000-01. Specify that DOT cannot use compensation reserves to provide compensation supplements for any position funded from the state highway rehabilitation and major highway development SEG appropriations, except for any supplement that exceeds the following, as determined by the Secretary of the Department of Administration: (a) 2.5% in 1999-00 and 3.0% in 2000-01 above the amount established for state highway rehabilitation positions in 1998-99; and (b) 5.8% in 1999-00 and 6.1% in 2000-01 above the amount established for major highway development positions in 1998-99. This item would fund compensation increases from the funding increases for these programs, up to the percentage increases provided for each program.

15. SIDEWALKS ALONG STH 54 IN WOOD COUNTY

SEG	\$160,800
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Joint Finance: Provide \$160,800 in 1999-00 in the state highway rehabilitation program for the installation of sidewalks along both sides of STH 54 northeast of Wisconsin Rapids between 32nd and 48th streets and require DOT to install sidewalks at this location.

16. RECONSTRUCTION OF STH 59 IN WAUKESHA COUNTY

Joint Finance: Permit DOT to reconstruct STH 59 to add lanes between STH 164 on the eastern edge of the City of Waukesha and 124th Street at the eastern Waukesha County line, notwithstanding a statutory provision that prohibits the Department from, within any six-year period, constructing a highway project consisting of separate, contiguous projects, which do not individually qualify as major highway projects, but which in their entirety would constitute a major highway development project.

17. TRAFFIC SIGNALS IN ST. CROIX FALLS

Joint Finance: Require DOT to install traffic signals at the intersection of USH 8 and 218th Street in the City of St. Croix Falls in Polk County.

18. MEEHAN STATION HISTORICAL SITE

Joint Finance: Require DOT to allocate up to \$14,900 in 1999-00 from the state highway rehabilitation SEG appropriation for directional signs, an historical marker, land acquisition activities, landscaping and historic information materials related to the Meehan Station historical site located six miles west of Plover in Portage County off of STH 54.

19. SIGNS FOR THE HARTFORD HERITAGE AUTO MUSEUM

Joint Finance: Require DOT to erect directional signs along USH 41 near the interchange with STH 60 for the Hartford Heritage Auto Museum located in the City of Hartford in Washington County. Prohibit DOT from charging any fee related to these signs.

20. SIGNS FOR AMERICA'S BLACK HOLOCAUST MUSEUM

Joint Finance: Require DOT to erect and maintain directional signs along I-43 for America's Black Holocaust Museum in Milwaukee County. Prohibit DOT from charging any fee related to the erection or maintenance of these signs.

21. TOLLES ROAD IN ROCK COUNTY

Joint Finance: Require DOT to study whether Tolles Road in Rock County should be added to the state trunk highway system and report the results of the study to the Governor and Legislature by June 30, 2000.

22. JOHN R. PLEWA MEMORIAL LAKE PARKWAY

Joint Finance: Require DOT to designate and mark a segment of I-794 and STH 794 between the Daniel Webster Hoan Memorial Bridge to East Layton Avenue in Milwaukee County as the John R. Plewa Memorial Lake Parkway in recognition and appreciation of the life of John R. Plewa and his public service as a member of the Wisconsin Legislature for more than 20 years.

23. SIGNS AND COMMERCIAL ACTIVITIES WITHIN HIGHWAY RIGHTS-OF-WAY

Joint Finance: Permit DOT, as part of a build-operate-lease or transfer agreement for the construction or operation of a transportation facility, to exempt a private entity from the prohibition against: (a) conducting a commercial enterprise within or on property acquired for, or designated as, a controlled-access highway; and (b) placing a sign, other than a sign necessary for the guidance or warning of traffic, within the limits of any street or highway. Specify that DOT may only exempt a private entity from these restrictions if the Department: (a) determines that such an exemption advances the public interest; and (b) specifies any requirements, as part of the build-operate-lease agreement, that the Department determines will practicably advance the purposes of those restrictions.

Motor Vehicles

1. LICENSE PLATES -- NEW DESIGN FUNDING [LFB Paper 955]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$3,001,400	- \$107,100	\$2,894,300

Governor: Provide \$967,200 in 1999-00 and \$2,034,200 in 2000-01 for the costs associated with issuing license plates of a new design over a five-year period, beginning with registrations effective July 1, 2000.

DOT indicates that in order to reissue all these license plates in three years, as is required under current law, increases above the base of \$1,956,800 in 1999-00 and \$3,892,300 in 2000-01 would be required, which is higher than the cost of reissuing plates over five years, as proposed by the bill, by \$989,600 in 1999-00 and \$1,858,100 in 2000-01.

Joint Finance: Delete \$35,700 in 1999-00 and \$71,400 in 2000-01 based on a reestimate of the funding required to replace special license plates on a five-year schedule.

2. LICENSE PLATES -- SIX-YEAR REDESIGN INTERVALS AND NEW DESIGN ISSUANCE [LFB Paper 955]

Governor: Require DOT to develop new license plate designs by July 1, 2000 (which is already required under current law), and every sixth year thereafter, for the following plate types: (a) regular automobile plates; (b) light duty truck plates (under 8,000 pounds) and other motor truck plates; (c) disabled plates, except disabled veteran plates; (d) special group plates, except sesquicentennial plates (this includes military group plates, endangered resources plates, UW plates and firefighter/EMT plates); (e) plates for light farm trucks and dual purpose farm trucks (under 12,000 pounds); (f) National Guard plates; (g) amateur radio plates; (h) vehicle collector plates; (i) motor bus plates; (j) plates for motor homes or dual purpose motor homes; (k) school bus plates; and (l) other miscellaneous plates registered for five years for \$5 (this includes certain special vehicles owned by nonprofit organizations). Eliminate a July 1, 2003, sunset of the redesign requirement to reflect the change making redesign an ongoing requirement. Prohibit DOT from developing a new design for the "children first" plate (which would be renamed "celebrate children" by the bill) until January 1, 2005.

Specify that, in each six-year design interval, these plates shall be as similar in appearance as practical. Eliminate the requirement that DOT consult with the following persons before specifying a plate design: (a) the Adjutant General, regarding the National Guard plate; (b) the President of the University of Wisconsin System, regarding UW plates; (c) the Secretary of the Department of Natural Resources, regarding the endangered resources plate; and (d) the Child Abuse and Neglect Prevention Board, regarding the "celebrate children" plate. Instead, require DOT only to consult with these persons or organizations regarding the words or symbols used on the respective plates. Eliminate the requirement that DOT receive approval, in writing, from these persons or organizations, of the words or symbols used on the respective plates. Eliminate the requirement that DOT consult with the President of the University of Wisconsin System on the color combination used for the UW plates and eliminate the requirement that the UW System President get the approval, in writing, of each University of Wisconsin chancellor prior to approving the words or symbols used on the plates for their respective campuses.

Eliminate the requirement that new plates be issued for all of these vehicles and plate types by July 1, 2003, and instead, require that new plates be issued for these vehicles by July 1, 2005 (except for vehicles registered with "celebrate children" and sesquicentennial plates). Modify a current law provision that gives DOT the authority to determine a new-plate issuance schedule for these vehicles, except farm trucks and \$5 plate types, whose registration is renewed between July 1, 2000, and the end of the reissuance period (which is June 30, 2003, under current law, but would be June 30, 2005, under the bill) to eliminate this permissive authority after June 30, 2005 (a technical modification to the bill would be necessary to do this).

Eliminate the requirement that DOT issue new plates, upon registration renewal, for light farm trucks and dual purpose farm trucks and certain vehicles that are registered for \$5 for a five-year period if the registration for those vehicles expires after June 30, 2000, and before

January 1, 2004. Instead, require DOT to issue a new plate for these vehicles if a plate of the new design has not already been issued for the vehicle, effective July 1, 2000.

Require DOT, beginning with vehicle registrations effective on July 1, 2005, to issue plates of the design created for the six-year interval in which the issuance occurs, as follows: (a) for all original registrations for the vehicles and plate types specified above; and (b) for all registration renewals for these vehicle and plate types if a plate has not been issued for the vehicle during the previous six years. Specify that a new set of plates must be issued for these vehicles within five years of the date on which a new design must be developed for each six-year interval. Permanently exempt vehicles registered with sesquicentennial plates from this requirement.

Joint Finance: Require sesquicentennial license plates to be replaced beginning July 1, 2005. Since the sesquicentennial plate is no longer an authorized special group plate, these plates would be replaced with a different plate type.

Prohibit DOT, after an initial design for the Green Bay Packers plate is developed, from developing a new design for the plate until January 1, 2005, and exempt the Green Bay Packers plate from the plate replacement requirement until July 1, 2005. The creation of a Green Bay Packers plate is summarized in a separate item.

3. DRIVER'S LICENSE WITHDRAWAL FOR FAILURE TO PAY A FORFEITURE -- FUNDING LEVEL [LFB Paper 956]

	Governor (Chg. to Base)		Jt. Finance (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
SEG	\$1,771,200	3.00	-\$455,400	-1.00	\$1,315,800	2.00

Governor: Provide \$868,300 and 2.0 positions in 1999-00 and \$902,900 and 3.0 positions in 2000-01 for processing requests to suspend and revoke driver's licenses for failure to pay fines and forfeitures. According to the Executive Budget Book, part of the funding and positions provided in this item reflects a reallocation of resources from other DOT programs, as follows: (a) \$118,300 and 2.0 positions annually from the Office of Organizational Developmental Services, reflecting the elimination of two vacant positions in that Office; and (b) \$34,600 and 1.0 position in 2000-01 from the Division of Motor Vehicle's Bureau of Field Services, reflecting the expected savings from implementing third-party skills testing for "Class D" license (noncommercial vehicles) skills tests. The remaining \$750,000 annually is not associated with any other budget recommendation.

Joint Finance: Delete \$210,400 in 1999-00 and \$245,000 and 1.0 position in 2000-01 to provide a total of \$657,900 and 2.0 positions annually for the Division of Motor Vehicles' operating budget. This reflects the transfer of \$118,300 and 2.0 positions annually from the Office of Organizational Development Services and the provision of \$539,600 annually, which is the estimated, direct cost of processing 35,500 license withdrawals and associated license

reinstatements. The number of license withdrawal orders increased by 35,500 between 1994 and 1998. The provision of \$34,600 and 1.0 position in 2000-01 associated with the savings resulting from the implementation of third-party "Class D" license skills testing was deleted.

4. DRIVER'S LICENSE WITHDRAWAL FOR FAILURE TO PAY A FORFEITURE -- COURT FEE [LFB Paper 957]

Governor: Require DOT to promulgate an administrative rule to develop and administer a system for charging a fee to circuit courts and municipal courts for each order of the court that suspends or revokes a person's driver's license solely for the failure to pay a forfeiture imposed for violating a local ordinance that is unrelated to the violator's operation of a vehicle. Specify that the amount of the fee established by the rule may not exceed the cost of processing a license suspension or revocation order. Prohibit DOT from processing such an order unless the court has paid any fee required by the rule.

Provide that, where courts currently have the authority to suspend or revoke a person's driver's license for the failure to pay a forfeiture imposed for the violation of an ordinance not related to driving, this authority is subject to payment of any applicable fee required by DOT's administrative rule.

Permit circuit courts and municipal courts to require a person to pay a fee when his or her license is ordered suspended or revoked under these circumstances. Specify that such a fee may not exceed the amount of the fee that the court is required to pay to DOT for ordering the suspension or revocation.

Specify that these provisions would first apply to suspensions and revocations ordered on the effective date of DOT's rule. The bill does not reflect any revenue from this fee because it is unclear when the rule would be promulgated. DOT indicates that the cost of processing a suspension or revocation order is approximately \$9.50.

Joint Finance: Delete provision.

5. IMPLEMENTATION OF OPERATING WHILE SUSPENDED/ OPERATING AFTER REVOCATION LAW CHANGES (1997 ACT 84)

SEG	\$450,900
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Governor/Joint Finance: Provide \$76,000 in 1999-00 and \$374,900 in 2000-01 for contract computer programmers to make computer system changes necessary to implement 1997 Act 84 in conjunction with the redesign of the Division of Motor Vehicles driver databases. Act 84 made numerous changes to the laws governing operating with a suspended license and operating after license revocation (OWS/OAR).

Modify a provision relating to the effective date of Act 84 to specify that the general provisions of the law shall become effective on May 1, 2001, instead of May 1, 2000. Modify a provision that allows the Secretary of the Department of Transportation to publish a notice in the Wisconsin Administrative Register that establishes an earlier effective date for Act 84 to specify that such a notice must clearly state which portion of the law would be given an earlier effective date. This provision would clarify that the DOT Secretary is allowed to selectively implement earlier effective dates for the law.

Modify a provision of Act 84 specifying that a person who is convicted of first-offense operating after revocation may be required to forfeit not more than \$600, when that offense was committed before May 1, 1999, to specify, instead, that such a penalty would apply if the offense occurred prior to May 1, 2002. Specify that this provision would become effective on May 1, 2001, or upon publication in the Wisconsin Administrative Register of an earlier effective date. Under Act 84, any OAR offense that occurs after May 1, 1999, (amended by the bill to May 1, 2002) is a criminal offense, and the offender may be required to pay a fine of not more than \$2,500 and may be imprisoned for not more than one year. Under current law, the penalty for committing an OAR offense varies widely depending on the reason the person's license was revoked. This provision would allow an OAR offense to be treated as a civil offense for the first year following the general effective date of Act 84, as modified by this provision, which DOT claims was the original intent of the Act.

Specify that the beginning date for the five-year revocation period for habitual traffic offenders always begins on the date that DOT mails the revocation notice to the person. Under current law, if the person's license was already suspended or revoked at the time the person attained habitual traffic offender status, the five-year revocation begins on the later of the date the person surrendered his or her driver's license or the date of the conviction that establishes habitual traffic offender status.

Specify that the penalty under Act 84 for violating the state prohibition against operating with a suspended license (a forfeiture of \$50 to \$200) also applies to a violation of a local ordinance in conformity with the state law, effective May 1, 2001, or upon publication in the Wisconsin Administrative Register of an earlier effective date. Remove OWS/OAR from a list of offenses that, when committed in another jurisdiction, is considered a serious offense under the habitual traffic offender law. Act 84 removed the violation of the state OWS/OAR laws from the list of serious offenses and removed the reference to a section of the Uniform Vehicle Code (UVC) relating to OWS/OAR in a portion of the list relating to offenses committed in other jurisdictions, but did not remove the description of the OWS/OAR laws which had accompanied the deleted UVC section reference.

6. ENHANCED VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM

FED	\$1,277,600
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Governor/Joint Finance: Provide \$475,400 in 1999-00 and \$802,200 in 2000-01 for increased costs under the state's contract with a private vendor to administer the enhanced vehicle emission inspection and maintenance program. The vendor performs emissions tests on all cars and light trucks in a seven-county area in southeastern Wisconsin. This increase would support costs for contract provisions related to inflation and projected increases in the number of vehicles required to be tested. Funds would be provided through the state's federal congestion mitigation and air quality improvement apportionment.

7. DRIVING SKILLS TEST FEE INCREASE

SEG-REV	\$995,800
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Governor/Joint Finance: Increase the fee charged by DOT for administering driving skills tests for noncommercial motor vehicles and school buses, from \$10 to \$15, effective beginning with applications for licenses and school bus endorsements submitted on October 1, 1999. Increase estimated transportation fund revenue by \$426,800 in 1999-00 and \$569,000 in 2000-01 to reflect this change.

8. THIRD-PARTY SKILLS TESTING FOR CLASS D DRIVER'S LICENSES [LFB Paper 958]

	Governor (Chg. to Base)		Jt. Finance (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
SEG-REV	-\$60,000		\$60,000		\$0	
SEG	-\$34,600	-1.00	\$34,600	1.00	\$0	0.00

Governor: Permit DOT to contract with third-party examiners to administer the "Class D (noncommercial vehicle)" driving skills test to license applicants who are 18 years of age or older. Specify that current law restrictions that prohibit DOT from contracting with private driver training schools or other private institutions to administer commercial motor vehicle skills tests do not apply to "Class D" third-party testers. Extend the following provisions that currently apply to third-party testing for commercial motor vehicle operator licenses and school bus endorsements to third-party testing for "Class D" licenses: (a) all tests conducted by the third-party tester must be the same as those given by DOT; (b) DOT or the Federal Highway Administration may conduct random examinations, inspections and audits of the third-party tester without any prior notice; (c) at least annually, DOT must conduct an on-site inspection of the third-party tester to determine compliance with the contract and with the Department's standards for skills testing; (d) at least annually, DOT must evaluate testing given by the third-party tester by either having Department employees take tests administered by the third-party

tester or by retesting a sample of drivers who were tested by the third-party tester to compare pass and fail results; (e) third-party examiners must meet the same qualifications and training standards as DOT's license examiners; and (f) DOT must take prompt and appropriate remedial action against a third-party tester that fails to comply with the Department's standards.

Permit DOT, after consultation with the Department of Public Instruction (DPI) and the Technical College System Board, to provide for the administration of the "Class D" driving skills test to persons under the age of 18 by a driver education instructor in conjunction with a driver education course, as long as the person taking the test is enrolled in the course. Specify that instructors for the following driver education courses may administer these tests: (a) a course in a public school approved by DPI; (b) a course in a technical college approved by the Technical College System Board; (c) a course in driver education in a nonpublic or private school that meets the minimum standards set by DPI; or (d) a course in a driver school licensed by DOT. The ability to administer driving knowledge tests, which currently applies to public schools, technical colleges and nonpublic or private schools, would be extended to instructors at driver schools licensed by DOT.

Delete \$34,600 and 1.0 position in 2000-01 to reflect a decreased driving skills testing workload for DOT. According to the Executive Budget Book, this position and the associated funding were reallocated to the Division of Motor Vehicles to help offset increasing costs associated with requests to suspend and revoke driver's licenses. Decrease estimated transportation fund revenue by \$60,000 in 2000-01 to reflect an estimated decrease in the number of driving skills tests administered by DOT. DOT indicates that third-party testing would be implemented after January, 2001.

Joint Finance: Delete provision.

9. OVERWEIGHT/OVERSIZE VEHICLE PERMITTING SYSTEM
[LFB Paper 959]

SEG-REV	- \$588,200
SEG	\$641,600

Governor: Provide \$447,800 in 1999-00 and \$193,800 in 2000-01 to purchase and install an automated permit routing system for overweight and oversize permits. The system would use data on construction projects and bridge and pavement condition to automatically select a route for overweight or oversize trucks needing a permit to operate on highways in the state.

Modify a provision that requires DOT to develop and implement a telephone call-in procedure for the issuance of single-trip permits, to: (a) require DOT to develop and implement such a system to issue and renew single-trip permits, as well as multiple-trip, consecutive month and annual permits; and (b) specify that the system shall be a computerized system that determines and designates the route to be used by the permit holder. Specify that permits issued through the telephone call-in procedure must be carried on the vehicle during the

operations for which the permit was issued. Require DOT to promulgate rules to implement the telephone authorization procedure.

Require applicants for permits using the telephone call-in procedure to pay the following fees, in addition to the fees for the permit: (a) \$10 or the actual cost of the telephone authorization, as determined by DOT, whichever is less; and (b) a late fee of \$10 for each vehicle for which a permit is issued, if DOT receives the required fees after a period of time specified by DOT.

Specify that a person may cancel a permit obtained through the telephone call-in procedure before the first day of operation authorized by the permit without having to pay the fee for the permit, but require the person to pay the telephone authorization fee and specify that DOT may also charge a cancellation fee. Specify that a permit obtained through the telephone call-in procedure may not be cancelled on or after the first day of operation authorized by the permit and prohibit DOT from refunding any permit fees on or after that day. Specify that DOT may require any cancellation of a permit obtained through the telephone call-in procedure to be done by telephone.

Allow DOT to refuse to issue a permit through the telephone call-in procedure to any applicant who does not comply with the requirements established for using the procedure, or who has had an overweight or oversize permit suspended or revoked. Allow DOT to suspend any or all permits of a person who does not pay the required fees for a permit obtained through the telephone call-in procedure within the time period established by DOT. Specify that a permit suspended for nonpayment of the fees remains suspended until the required fees are paid.

Increase the fees for overweight and oversize permits that are applied for after December 31, 1999, and before July 1, 2003, by 10%, rounded to the nearest whole dollar, as shown in the following table:

<u>Permit</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Single-Trip Permits		
Overlength	\$15	\$17
Overwidth or Overheight	20	22
Overwidth and Overheight	25	28
Annual and Multiple-Trip Permits		
Overlength	\$60	\$66
Overwidth and/or Overlength	90	99
Overweight--90,000 lbs. or less*	200	220
Overweight--Over 90,000 lbs. to 100,000 lbs.*	350	385
Overweight--Over 100,000 lbs.*	\$350 plus \$100 for each 10,000 lbs. or fraction thereof above 100,000 lbs.	\$385 plus \$110 for each 10,000 lbs. or fraction thereof above 100,000 lbs.
Consecutive Month Permits		
Fee in Addition to Prorated Annual Fee for Same Type of Permit**	\$15	\$16.50

* Based on gross vehicle weight.

** Total permit fee would be rounded to the nearest whole dollar.

Specify that the fees for single-trip permits for vehicles that exceed weight limitations, which are 10% of the fee for an annual permit for the same weight of vehicle, shall be rounded to the nearest whole dollar. Since the fee for single-trip overweight permits and the base fee for consecutive month overweight and oversize permits are based on the corresponding annual permits, the bill would also increase the fees for these permits for applications after December 31, 1999, and before July 1, 2003.

Increase estimated transportation fund revenue by \$195,200 in 1999-00 and \$393,000 in 2000-01 to reflect the increased permit fees.

Joint Finance: Delete provisions related to the telephone call-in procedure. Instead, require DOT to develop and implement an automated system for designating the route to be traveled by a vehicle that is issued an oversize or overweight permit.

10. REPEAL FINANCIAL INSTITUTIONS REGISTRATION AND TITLE TRANSACTION FEE [LFB Paper 960]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG-REV	-\$459,000	\$459,000	\$0

Governor: Repeal the \$5 transaction fee charged to financial institutions that file electronic applications, on behalf of their customers, for an original vehicle title and registration. Decrease estimated transportation fund revenue by \$170,000 in 1999-00 and \$289,000 in 2000-01 to reflect this change. DOT indicates that the fee has served as a disincentive for financial institutions to file such applications electronically.

Joint Finance: Delete provision.

11. POSTAGE INFLATION

SEG	\$159,300
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Governor/Joint Finance: Provide \$159,300 in 1999-00 for postage to fund a portion of the costs related to an increase in postage rates and an increase in mailing volume. DMV's base budget for postage is \$3,378,000.

12. HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION PROGRAM

	Funding	Positions
PR	-\$164,600	-1.00

Governor/Joint Finance: Delete \$82,300 and 1.0 position annually associated with the hazardous materials transportation registration program and eliminate: (a) the requirement that the Division of Emergency Management (DEM) establish, by rule, an annual hazardous materials transportation registration fee; (b) the requirement that DOT collect the hazardous materials registration fee established by the DEM from persons required to register with the federal government as hazardous materials carriers; and (c) the DOT PR appropriation for the administration of the hazardous materials transportation registration program.

Require any unencumbered balance remaining in the DOT PR appropriation on the effective date of the bill to lapse to the transportation fund. Although there is currently approximately \$300,000 in this appropriation, the bill does not reflect any additional transportation fund revenue from this item because it is assumed that these funds will be spent on the cost of eliminating the program and the cost of paying refunds for fees previously paid. In 1996, the Wisconsin Court of Appeals ruled that the fee structure established by the Division of Emergency Management violates the commerce clause of the U.S. Constitution, and placed an injunction against collecting additional registration fees. No new fee structure has been created.

13. COMMERCIAL VEHICLE TELEPHONE REGISTRATION LATE FEE

SEG-REV	\$9,000
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Governor/Joint Finance: Increase the fee for late payment of registration fees under the telephone authorization program from \$5 to \$10, first applying to fees owed for using the

program on January 1, 2000. Increase estimated transportation fund revenue by \$3,000 in 1999-00 and \$6,000 in 2000-01 to reflect this change. The telephone authorization program allows operators of certain commercial vehicles that are registered on a quarterly or consecutive monthly basis to register a vehicle by phone and then send the registration fee to DOT by mail. Under current law, DOT charges a \$5 late fee if the registration fees are not paid within 21 days of the telephone authorization. This item would make this late fee consistent with the fee charged for late renewal of vehicle registration for cars, light trucks, motorcycles and mopeds.

14. CAMPING TRAILER REGISTRATION FEE [LFB Paper 961]

SEG-REV	- \$8,400
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Governor: Reduce the registration fee for camping trailers weighing 3,000 pounds or less from \$24.25 to \$15.00, first applying to registration applications submitted on the effective date of the bill. Decrease estimated transportation fund revenue by \$2,800 in 1999-00 and \$5,600 in 2000-01 to reflect this change. This would make the fee for these trailers the same as the fee for camping trailers weighing more than 3,000 pounds. Under current law, registration of camping trailers weighing 3,000 pounds or less is required if they are used for hire or for rental, but is optional if used exclusively for private purposes.

Joint Finance: Specify that the fee modifications would first apply to registration applications submitted on January 1, 2000, instead of on the effective date of the bill.

15. SERVICE OF PROCESS FEE FOR TRAFFIC ACCIDENT CLAIMS AGAINST NONRESIDENTS

SEG-REV	\$3,000
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Governor/Joint Finance: Increase the service of process fee, which a Wisconsin resident must pay to DOT to initiate a traffic-related legal action against a nonresident, from \$15 to \$25, first applying to processes and notices served to DOT on the effective date of the bill. Increase estimated transportation fund revenue by \$1,500 annually to reflect this change. Under current law, DOT has the responsibility for serving legal notice against a nonresident related to a traffic claim, which gives Wisconsin courts jurisdiction in the case.

16. AIRCRAFT REGISTRATION

Governor/Joint Finance: Transfer the responsibility for registering aircraft from the Bureau of Aeronautics, within the Division of Transportation Infrastructure Development, to the Bureau of Vehicle Services, within the Division of Motor Vehicles. Transfer \$26,100 SEG annually from the aeronautics assistance appropriation to the vehicle registration and driver licensing appropriation to reflect this change.

Delete a provision requiring that refunds paid by DOT for aircraft registration fees paid in error be paid from the Department's management and operations appropriation. DOT's

authority to pay such refunds would not be affected. DOT indicates that such refunds would be accounted for as a refund of revenues.

17. REGISTRATION AND TITLING OF MOBILE HOMES

Joint Finance: Delete \$62,700 and 1.6 positions in 2000-01 in the Division of Motor Vehicles to reflect the transfer of the responsibility for titling and registering mobile homes that have an overall length in excess of 45 feet from DOT to the Department of Commerce. Decrease estimated transportation fund revenue by \$482,300 in 2000-01 to reflect the loss of registration and titling fees for these mobile homes. Define a recreational vehicle as a mobile home that is 45 feet or less in length. Replace references to "mobile homes" in the statutes related to vehicle titling and vehicle registration with the phrase "recreational vehicle," to reflect that these vehicles would still be titled and registered by DOT.

Funding Positions		
SEG-REV	- \$482,300	
SEG	- \$62,700	- 1.60

The creation of mobile home titling and registration provisions in the Department of Commerce is summarized in a separate item under "Commerce -- Building and Environmental Regulation."

18. GREEN BAY PACKERS LICENSE PLATE

Joint Finance: Require DOT to issue Green Bay Packers license plates to interested persons who register: (a) an automobile, station wagon or motor home; (b) a truck, dual purpose motor home or dual purpose farm truck that has a gross weight of not more than 8,000 pounds; or (c) a farm truck that has a gross weight of not more than 12,000 pounds. Specify that applicants for the plate, in addition to the fee for vehicle registration or other fees, shall pay a \$15 issuance or reissuance fee, to be deposited in the transportation fund and an annual \$25 fee (or a \$50 fee for vehicles registered on a biennial basis) as long as the plate is maintained. Deposit revenue from the \$25 (or \$50) fee, after subtracting \$35,000 or DOT's initial costs for data processing related to the plate, whichever is less, in two new, PR, continuing appropriations, as follows: (a) an amount necessary to pay reasonable licensing fees related to the use of the word (or words) or symbol on the plate; and (b) remaining amounts for making payments to the Boys and Girls Clubs of Wisconsin. Require DOT to pay the necessary licensing fees and require the Secretary of the Department of Administration to make payments to the Boys and Girls Clubs of Wisconsin from the respective appropriations. Specify that the \$25 (or \$50) fee shall be deductible as a charitable contribution to the extent permitted under current law.

Require DOT to consult with the chief executive officer of the Green Bay Packers and an authorized representative of the National Football League before specifying the word (or words) or symbol to be used on the plate. Prohibit DOT from issuing Green Bay Packers license plates until six months after the Department has received information sufficient to determine

that any approvals required for the use of any logo, trademark, trade name or other commercial symbol designating the Green Bay Packers have been obtained. Create an exception for the Green Bay Packers plate from a provision that prohibits new special group license plates from being authorized after October 1, 1998, except for under a procedure whereby groups apply for a special group plate and deposit \$15,500 with the application.

Prohibit DOT, after an initial design for the Green Bay Packers plate is developed, from developing a new design for the plate until January 1, 2005, and exempt the Green Bay Packers plate from plate replacement requirements until July 1, 2005.

Specify that these provisions would take effect on the first day of the fifth month beginning after publication of the bill.

19. MOPED DEFINITION

Joint Finance: Modify the definition of a moped to include a bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at 130 cubic centimeters, instead of 50 cubic centimeters under current law, or an equivalent power unit, provided that the top speed of the vehicle is not more than 30 miles per hour. This modification would reclassify this type of vehicle, with an engine between 50 and 130 cubic centimeters, as a moped instead of a motor bicycle, making it subject to vehicle registration requirements and making it subject to different treatment under certain traffic regulations.

20. MAKE AND MODEL ON THE CERTIFICATE OF TITLE

Joint Finance: Specify that the make and model contained on a Wisconsin certificate of title issued by DOT for a vehicle that was previously registered in another state or other jurisdiction shall be the same as the make and model entered on the title issued by the other state or jurisdiction.

21. PROBATION FOR FOURTH OR SUBSEQUENT OWI OFFENSES

Joint Finance: Specify that courts may place a person on probation who is convicted of an operating while intoxicated offense, including the offenses of causing injury by operating a vehicle while intoxicated or with a prohibited blood alcohol concentration and operating a commercial motor vehicle with a blood alcohol concentration between 0.04 and 0.1, if both of the following apply: (a) the person has committed three prior OWI offenses, including the improper refusal to provide a sample of blood, breath or urine for testing upon request of a law enforcement officer; and (b) the person's sentence includes a period of confinement that is at least as long as the minimum sentence provided in statute for the offense. Current law does not allow probation for OWI offenses.

State Patrol

1. ADDITIONAL TRAFFIC OFFICERS [LFB Paper 965]

	<u>Governor</u> <u>(Chg. to Base)</u>		<u>Jt. Finance</u> <u>(Chg. to Gov)</u>		<u>Net Change</u>	
	<u>Funding</u>	<u>Positions</u>	<u>Funding</u>	<u>Positions</u>	<u>Funding</u>	<u>Positions</u>
SEG	\$1,130,500	14.00	-\$18,600	0.00	\$1,111,900	14.00
SEG-S	332,600	0.00	0	0.00	332,600	0.00
Total	\$1,463,100	14.00	-\$18,600	0.00	\$1,444,500	14.00

Governor: Provide \$321,900 SEG, \$189,000 SEG-S and 9.0 SEG positions in 1999-00 and \$808,600 SEG, \$143,600 SEG-S and 14.0 SEG positions in 2000-01 to increase the size of the state traffic patrol. Increase the statutory number of traffic officers that DOT may employ by 15, from 385 to 400. The SEG amounts provided would be for salary and fringe benefits, fleet costs, materials and supplies and training costs associated with hiring additional state troopers. The SEG-S amounts would provide additional expenditure authority for DOT's fleet service center, which would be used for the purchase of 14 vehicles and related insurance, fuel and repair costs.

The Executive Budget Book states that this item was intended to increase the number of traffic officers by 14. Although only 14.0 positions were provided, the total number of traffic officers that DOT could hire, which is established by statute, would be increased by 15. Under current law, there are 386 persons in the state traffic patrol, consisting of 385 traffic officers and the person in the classified service designated to head them (the State Patrol Colonel). Under the bill, the treatment of the person designated to head the traffic patrol would not change, so the total number of persons in the traffic patrol would increase by 15, from 386 to 401. In order to limit the statutory increase in the number of officers that DOT could hire to 14, the bill would need to be amended to either: (a) specify that the person designated to head the traffic patrol must be counted as one of the 400 traffic officers; or (b) establish the total number of traffic officers at 399.

Joint Finance: Delete \$500 SEG in 1999-00 and \$18,100 SEG in 2000-01 based on a reestimate of the costs to provide 14 additional troopers. Reduce the statutory number of traffic officers that DOT may hire to 399 to reflect the intent to limit the increase in the number of troopers that may be hired to 14.

2. ADDITIONAL OFFICER TRAINING CLASS

SEG	\$1,591,700
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Governor/Joint Finance: Provide \$535,500 in 1999-00 and \$1,056,200 in 2000-01 to fund an additional 22-week training class during the 1999-01 biennium (in addition to the two that are normally conducted per biennium) for new state troopers and

inspectors. The funding would pay cadet salaries and fringe benefits during training and their probationary period, provide equipment for new troopers and inspectors and pay for increased travel expenses and fleet costs associated with maintaining a full staffing level. The intention of conducting an additional class would be to hire enough new officers to fill all current vacancies by the end of 1999-00 and maintain that staffing level through the end of the biennium.

Due, in part, to a large number of retirements, in November, 1998, immediately prior to the graduation of the last class of 29 cadets, there were 42 vacancies out of a total of 498 sworn staff in the State Patrol (including state troopers, motor vehicle inspectors, sergeants and officers). Normally, training classes are funded through salary and fringe benefit savings resulting from vacancies. Since the goal of this item is to reduce the number of vacancies among the sworn positions, this item would establish permanent supplies and services funding that would be used for training, including the payment of cadet salaries.

3. DIGITAL MICROWAVE COMMUNICATIONS EQUIPMENT

SEG	\$581,000
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Governor/Joint Finance: Provide \$290,500 annually to make payments on a seven-year master lease for the purchase of digital microwave communications equipment. Microwave communications equipment is used to send radio signals over long distances in order to link communication towers to State Patrol dispatch centers located in district headquarters. The digital equipment that would be purchased would replace older, analog technology, which cannot operate more advanced radio communications, such as trunking (a system that uses a computer to automatically select open signal channels to minimize radio congestion). The full cost of the equipment is \$1,627,200.

4. COMPUTER-AIDED DISPATCH SYSTEM

SEG	\$343,400
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Governor/Joint Finance: Provide \$171,700 annually for making payments on a seven-year master lease for the purchase of a computerized radio dispatching system. The system is estimated to cost \$1,050,000 and would replace an existing dispatching system used for the past eight years. The new system, unlike the present system, would automatically record data that are entered on mobile data computers in State Patrol vehicles and would allow dispatchers to more easily track the status of all State Patrol vehicles. Data recorded by the system would be entered into a database, which would allow managers to examine data on response times, the number and types of calls received during a specific period and the amount of time spent by officers on particular duties.

5. COMPUTER SOFTWARE MAINTENANCE CONTRACTS FOR COMMUNICATIONS EQUIPMENT

SEG	\$121,900
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Governor/Joint Finance: Provide \$55,000 in 1999-00 and \$66,900 in 2000-01 for software maintenance and support contracts for recently-acquired digital radio communications

equipment. The contracts would be for service and support for: (a) the mobile data communications network, which allows data to be transmitted between mobile data computers in State Patrol vehicles and Division of Motor Vehicles and Department of Justice databases; (b) digital mobile radios; and (c) data network routers at radio repair shops. The State Patrol has no base funding for communications software maintenance because older analog communications equipment, which is being or has been replaced, did not require software to operate. The new digital equipment, which allows for more advanced forms of voice and data transmission, must operate with vendor software. These contracts would allow for software upgrades.

6. DNR/DOT RADIO SHOP MERGER

Governor/Joint Finance: Provide \$435,200 in 1999-00 and \$445,800 in 2000-01 and 7.0 positions annually to reflect the consolidation of DNR's radio maintenance facilities and

Funding Positions		
SEG-REV	\$881,000	
SEG	\$881,000	7.00

personnel with those of DOT. Specify that the positions created under DOT would be filled by transferring the incumbent employees holding the positions in DNR performing duties primarily related to radio services. Specify that these employees shall have all the rights and the same status under state employment relations provisions that they had under DNR and that they shall not be required to serve a probationary period if they had attained permanent status in DNR.

Require DNR to make payments to DOT for radio services, if DOT provides such services to DNR, from the DNR appropriations for administration and technology equipment pool operations (SEG-S) and general program operations (SEG). Specify that such payments shall be made on the first day of each quarter during the 1999-01 biennium, except that the first payment of 1999-00 shall be made on July 31, 1999, or ten days after the effective date of the bill, whichever is later. Increase estimated transportation fund revenue by \$435,200 in 1999-00 and \$445,800 in 2000-01 to reflect estimated payments from DNR for radio maintenance.

Currently, DNR has five radio repair and service facilities and DOT has seven. Following consolidation, DOT indicates that there will be nine facilities to service the equipment of both departments.

7. PUBLIC SAFETY RADIO PROGRAM -- FUNDING INCREASE

PR	\$37,200
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Governor/Joint Finance: Provide \$18,600 annually for the public safety radio program, which provides radio technical services and support for state and local agencies, primarily DOT and DNR. Of these amounts, \$6,600 would provide full funding of the salary and fringe benefit costs of a communications tower specialist and \$12,000 would be for supporting supplies and services costs for the program's three positions. Normally, the full funding of salary and fringe benefit costs of permanent positions is provided through a

standard budget adjustment that provides the difference between the actual salary and fringe benefits for a position on July 1, 1998, and what an agency had budgeted for the position in the base year. The tower specialist position was vacant on July 1, 1998, but was subsequently filled. Under the full funding of salary and fringe benefit costs adjustment, a vacant position is funded at the minimum salary for the position's classification. The position was filled at a salary class higher than the minimum, so the standard budget adjustment did not fully fund the salary and fringe benefit costs.

The public safety radio program is funded primarily through transfers from the State Patrol's general operations appropriation, the state highway rehabilitation program and the Department of Natural Resources. These transfers, and funding increases necessary to make them, are summarized separately.

8. PUBLIC SAFETY RADIO PROGRAM -- TRANSFERS FROM DOT AND DNR

PR-REV	\$196,000
SEG	\$98,000

Governor/Joint Finance: Require the following transfers to the public safety radio management PR-S appropriation within the State Patrol: (a) \$68,700 annually from the State Patrol's SEG general operations appropriation; and (b) \$32,400 annually from the state highway rehabilitation SEG appropriation. Specify that these transfers shall be made: (a) on July 31, 1999, or on the 30th day following the effective date of the bill, whichever is later; and (b) on July 31, 2000. Modify the state highway rehabilitation appropriation to allow for these transfers.

Require DNR to make payments to DOT for radio services, if DOT provides such services to DNR, from the DNR appropriations for administration and technology equipment pool operations (SEG-S) and general program operations (SEG). Specify that such payments shall be made on the first day of each quarter during the 1999-01 biennium, except that the first payment of 1999-00 shall be made on July 31, 1999, or ten days after the effective date of the bill, whichever is later. Estimate such payments from DNR at \$101,100 annually.

Provide \$33,200 SEG annually for the State Patrol's general operations appropriation, which, when combined with base funding of \$35,500, would provide the \$68,700 annually needed to make the State Patrol's transfer. Provide \$15,800 SEG annually for the state highway rehabilitation program, which, when combined with base funding of \$16,600, would provide the \$32,400 annually needed to make the highway program's transfer.

This item would provide a total of \$202,200 annually for the public safety radio program, which provides technical support of the state's public safety radio system. The transferred funds represent an increase of \$98,000 annually above the amount transferred in the base year (\$104,200, of which DNR and DOT each paid \$52,100). Following past practice, half of the transferred funds would come from DNR and half would come from DOT, although the bill

would not require a transfer of a specific amount from DNR. Of DOT's share, 68% would come from the State Patrol and 32% would come from the state highway program.

9. PUBLIC SAFETY RADIO PROGRAM -- SERVICES FOR LOCAL GOVERNMENTS

PR-REV	\$44,000
PR	\$44,000

Governor/Joint Finance: Allow DOT to contract with local governments for the provision of public safety radio management services. Create a PR, continuing appropriation for public safety radio management services and provide \$22,000 annually in this appropriation to reflect estimated fees for services provided to local governments, such as radio equipment maintenance and the leasing of communications tower space.

10. PRELIMINARY BREATH TESTING INSTRUMENTS

PR-REV	\$290,900
PR	\$290,900

Governor/Joint Finance: Provide \$290,900 in 1999-00 for the purchase of 493 preliminary breath testing instruments. Require the Secretary of the Department of Administration, within 30 days after the effective date of the bill, to transfer \$290,900 from the Department of Health and Family Services (DHFS) appropriation for the collection of operating while intoxicated (OWI) driver improvement surcharge revenue to the State Patrol's breath screening instruments PR appropriation to fund this purchase. These instruments are used by State Patrol officers to help determine whether a driver may be intoxicated and should be arrested and given a more accurate breath test or a blood or urine test. The test results from preliminary breath testing instruments are not admissible as evidence in court.

Persons convicted of OWI offenses must pay a \$340 driver improvement surcharge, a portion of which is kept by the county in which the offense occurred and a portion of which is collected by the state. The state's portion is deposited in a DHFS appropriation and is used to support various state programs related to substance abuse, including the State Patrol's chemical testing section. The 1997-99 budget act provided \$1,990,400 from unencumbered balances in this appropriation to purchase new stationary breath testing machines, which are used to provide evidence of intoxication that is admissible in court. Only \$1,583,798 of this amount was needed, however, so the remaining \$406,602 lapsed to the DHFS appropriation.

11. CHEMICAL TESTING SECTION -- OPERATIONS

PR	\$217,100
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Governor/Joint Finance: Provide \$127,400 in 1999-00 and \$89,700 in 2000-01 for operations of the chemical testing section of the State Patrol. The chemical testing section is responsible for the maintenance and testing of breath testing equipment used in the enforcement of the state's operating while intoxicated (OWI) laws, as well as training local and

state personnel to operate that equipment. The funding would be used as follows: (a) \$39,800 in 1999-00 and \$9,200 in 2000-01 for the salary and fringe benefit costs of three LTEs hired to provide training to local and state law enforcement personnel in the operation of new breath testing equipment that was purchased during the 1997-99 biennium; (b) \$54,300 in 1999-00 and \$21,600 in 2000-01 for travel and fleet costs associated with the training; (c) \$16,300 annually for data processing hardware and software associated with the new machines; (d) \$14,900 in 1999-00 and \$39,900 in 2000-01 for supplies needed to operate the new breath testing instruments; and (e) \$2,100 in 1999-00 and \$2,700 in 2000-01 associated with an anticipated increase in payments to hospitals to take blood samples for the purpose of testing for alcohol content.

The chemical testing section is funded by a portion of the revenue collected from the \$340 OWI driver improvement surcharge, which is levied against individuals convicted of an OWI offense.

12. CHEMICAL TESTING SECTION -- OVERTIME ADJUSTMENT

PR	\$55,200
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Governor/Joint Finance: Provide \$27,600 annually for overtime salary and fringe benefit costs in the State Patrol's chemical testing section. Overtime funding was removed from the base budget for the chemical testing program as part of the full funding of salary and fringe benefits standard budget adjustment. This item would restore this funding, thereby providing the same level of overtime funding as in the base budget.

13. CHEMICAL TESTING SECTION -- FUNDING MECHANISM

Governor/Joint Finance: Delete the requirement that the Secretary of the Department of Administration transfer 31.29% of the operating while intoxicated (OWI) driver improvement surcharge revenue deposited in a Department of Health and Family Services (DHFS) clearinghouse appropriation to the DOT appropriation for the chemical testing section of the State Patrol. Instead, specify that the DOA Secretary may transfer funds to this appropriation after consultation with the DOT Secretary. This would establish the same mechanism for funding the chemical testing section as exists for other programs that are funded with OWI surcharge revenue. Specify that the unencumbered balance in the chemical testing section appropriation shall be transferred back to the DHFS appropriation on June 30 of each year.

14. TRAINING ACADEMY OPERATIONS

PR	\$374,900
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Governor/Joint Finance: Provide \$170,800 in 1999-00 and \$204,100 in 2000-01 in additional budget authority for State Patrol training academy operations. The additional funding would be used to expand the number of law enforcement training courses offered at the academy and would be provided from the tuition payments of course

participants. The academy trains State Patrol personnel as well as law enforcement officers from other state and local agencies.

15. STATEWIDE TRAUMA CARE SYSTEM [LFB Paper 506]

	Governor (Chg. To Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$64,900	\$15,100	\$80,000

Governor: Provide \$64,900 in 2000-01 in the State Patrol's general operations appropriation for making a transfer to the Department of Health and Family Services (DHFS) to support the development of a statewide trauma care system.

Transfer \$64,900 from the State Patrol's appropriation to DHFS's general program operations appropriation on July 1, 2001, for the purposes of the statewide trauma care system.

The bill would provide funding in 2000-01, but would require a transfer on the first day of 2001-02. Since the funding is provided in the State Patrol's general operations appropriation, which is an annual appropriation, the funding provided by the bill would lapse before the transfer would occur. Further, the DHFS appropriation receiving the transfer is an annual, GPR appropriation limited to the amounts shown in the Chapter 20 appropriations schedule. The correct type of appropriation to receive a transfer from another agency would be a service funds appropriation.

A separate item, summarized under "Health and Family Services -- Public Health," would create a transportation fund appropriation in DHFS, and provide \$80,000 SEG and 1.0 SEG position in 2000-01 for the development of the statewide trauma care system. DOA indicates that the inclusion of both of these items was an error. According to DOA, the Governor's intent was to provide \$80,000 in the State Patrol's appropriation and transfer that amount to a new, DHFS appropriation in 2000-01 for the development of the trauma care system.

Joint Finance: Delete the one-time transfer of \$64,900 from the State Patrol's general program operations appropriation to DHFS's general program operations appropriation for the statewide trauma care system on July 1, 2001. Instead, provide \$15,100 in 2000-01 in the State Patrol's general program operations appropriation and provide for an ongoing, annual transfer of \$80,000 to DHFS's interagency PR appropriation for the trauma care system, beginning on July 1, 2000.

A separate item, summarized under "Health and Family Services -- Public Health," would delete the \$80,000 transportation fund appropriation in DHFS proposed by the Governor. That item would also provide \$80,000 PR in expenditure authority in DHFS to reflect the transfer from the State Patrol's appropriation.

16. MOTOR CARRIER ENFORCEMENT COMPUTER SYSTEM

FED	\$35,000
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Governor/Joint Finance: Provide \$35,000 in 1999-00 for computer programming related to the upgrade of the State Patrol's commercial motor carrier enforcement database. The programming would allow State Patrol commercial motor vehicle inspectors to access the commercial motor vehicle and driver database through mobile data computers installed in vehicles. It would also allow inspectors to file incident reports directly into the database instead of, under current practice, filing a paper report that is later entered into the system. The funds would be provided through the federal motor carrier safety program.

17. STATE PATROL DIVISION ADMINISTRATOR [LFB Paper 405]

Governor/Joint Finance: Specify that the following apply to an administrator of the Division of the State Patrol if he or she is certified by the law enforcement standards board as being qualified to be a law enforcement officer: (a) the administrator is considered a member of the state traffic patrol; (b) the administrator shall be designated as the superintendent of the state traffic patrol; (c) the administrator shall not be counted in the total number of traffic officers that DOT may hire (under current law, the division administrator is already not counted); and (d) the administrator is included as a protective occupation participant, which has implications for certain retirement benefits, effective January 1, 2000.

Other Divisions

1. STANDARD BUDGET ADJUSTMENTS

Governor/Joint Finance: Adjust the base budget for: (a) turnover reduction (-\$3,324,200 SEG annually); (b) removal of noncontinuing funding and positions (-\$43,700 SEG and -\$16,600 FED in 1999-00 and -\$76,200 SEG, -\$23,200 FED and -\$22,400 SEG-S in 2000-01 and -0.95 SEG position and -1.05 FED positions in 1999-00 and -0.95 SEG position, -2.05 FED positions and -1.0 SEG-S position in 2000-01); (c) full funding of continuing position salaries and fringe benefits (-\$1,351,200 SEG, -\$20,100 FED, -\$13,100 SEG-S and -\$30,800 PR annually); (d) full funding of financial services charges (\$39,200 SEG annually); (e) overtime (\$2,826,400 SEG, \$35,600 FED and \$14,200 SEG-S annually); (f) night and weekend salary differentials (\$259,100 SEG, \$4,800 FED and \$300 SEG-S annually); and (g) fifth week of vacation as cash (\$209,800 SEG and \$400 FED annually).

Funding Positions		
FED	\$1,600	-2.05
PR	-61,600	0.00
SEG	-2,801,700	-0.95
SEG-S	-19,600	-1.00
Total	-2,881,300	-4.00

2. **INFORMATION TECHNOLOGY INFRASTRUCTURE** [LFB Paper 970]

SEG	\$1,200,000
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Governor/Joint Finance: Provide \$1,200,000 in 2000-01 to provide base funding for information technology hardware, software and ongoing support of the system. The funding would be used for network and data repository hardware and software, data integration tools, Oracle database software and support and improved web access and enhanced access to the data repository by Department employees. The Department would purchase equipment and software, beginning in 1999-00, using existing expenditure authority in DOT's automation service center, and the costs would be recovered, beginning in 2000-01, over a period of four years through charges to the departmental management and operations appropriation, which is where the funding in this item would be provided. Because the equipment and software would generally be on a four-year replacement cycle and because DOT indicates that the systems would require ongoing maintenance, this recommendation involves a permanent increase for information technology services.

3. **INFORMATION TECHNOLOGY SALARY INCREASES** [LFB Paper 971]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$703,300	- \$703,300	\$0

Governor: Provide \$442,000 in 1999-00 and \$261,300 in 2000-01 to provide funding for discretionary salary increases for certain DOT information technology employees, with the intention of increasing retention of these employees. Discretionary salary increases are currently allowed, but require transfers within appropriations, such as from the supplies and services line to the salary and fringe benefits lines. This item would provide supplemental salary and fringe benefit funding to allow for discretionary increases while reducing or eliminating the need to make line transfers.

Joint Finance: Delete provision.

4. **FEDERAL PLANNING FUNDS** [LFB Paper 972]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$312,200	\$0	\$312,200
FED	<u>1,344,800</u>	<u>199,200</u>	<u>1,544,000</u>
Total	\$1,657,000	\$199,200	\$1,856,200

Governor: Provide \$168,100 SEG and \$672,400 FED in 1999-00 and \$144,100 SEG and \$672,400 FED in 2000-01 for transportation planning. The increase is an allocation of anticipated higher levels of federal highway and transit aid. Of these amounts, \$100,100 SEG

and \$400,400 FED in 1999-00 and \$58,200 SEG and \$400,400 FED in 2000-01 would be provided in DOT's highway administration and planning appropriations and \$68,000 SEG and \$272,000 FED in 1999-00 and \$85,900 SEG and \$272,000 FED in 2000-01 would be provided in DOT's departmental management and operations appropriations. The funds provided in the highway administration and planning appropriations would be for statewide planning and research while the funds provided in the departmental management and operations appropriations would support the regional transportation planning functions of the state's metropolitan planning organizations. The SEG funds are the estimated amounts that, when combined with available base funding, would provide the required 20% nonfederal match.

Joint Finance: Delete \$400,400 FED annually in federal highway funds for highway research and instead provide \$500,000 FED annually in federal discretionary research funds. Delete \$68,000 FED annually in federal highway funds for transportation planning and instead provide \$68,000 FED annually in federal transit planning funds.

5. FLEET INFLATION

SEG-S	\$486,800
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Governor/Joint Finance: Provide \$109,500 in 1999-00 and \$377,300 in 2000-01 for additional expenditure authority related to inflation for fuel and vehicles. These represent increases of 1.0% in 1999-00 and 2.4% in 2000-01 over the fleet service center's base budget for supplies and services and permanent property. The fleet service center is funded through charges back to DOT's operating divisions for the use of fleet vehicles.

6. DOT VEHICLE FLEET TRANSFER TO DOA [LFB Paper 149]

Governor: Require that the Department of Administration (DOA) submit an implementation plan to the Joint Committee on Finance (JFC) at its third quarterly s. 13.10 meeting in 2000 for consolidating the vehicle fleet management functions of DOT with the corresponding functions of DOA. Provide that JFC could approve, or modify and approve, the plan and that DOA could implement the plan, if approved, on the date specified in the plan. DOA would be prohibited from implementing the plan if it is not approved by JFC.

Require DOT to reflect any savings from this consolidation in the Department's 2001-03 biennial budget request. Require that DOT fully cooperate with DOA in implementing an approved consolidation plan.

Similar vehicle fleet transfer plans would apply to the Department of Natural Resources and the University of Wisconsin-Madison. The nonstatutory provisions that would govern the specific items to be covered in each plan for transfer to DOA are summarized under "Administration -- Agency Services."

Joint Finance: Delete provision. Require DOA to conduct a study of the possible consolidation of agency fleet operations and submit the results of the study and suggested

legislation to the Joint Committee on Finance upon completion of the study. The study requirements are summarized in more detail in a separate item under "Administration -- Agency Services."

7. SOIL MAP FUNDING [LFB Paper 195]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$400,000	-\$134,800	\$265,200

Governor: Provide \$200,000 annually in DOT's departmental management and operations appropriation for the transfer to DOA of funds to pay for conducting soil surveys and digitizing soils maps. The bill would give DOA the authority to assess state agencies for these costs and would provide funding in DOT and DNR for the purpose of paying the assessment. A separate item under "Administration" summarizes changes made regarding the soil survey and mapping functions.

Joint Finance: Delete \$67,400 annually and reduce the amount transferred to DOA for conducting soil surveys to \$132,600 annually to reflect a decision to spread project costs over six years instead of four years.

8. OFFICE OF ORGANIZATIONAL DEVELOPMENT SERVICES

	Funding Positions	
SEG	-\$236,600	- 2.00

Governor/Joint Finance: Delete \$118,300 and 2.0 positions annually in the Office of Organizational Development Services (OODS). Transfer \$443,000 SEG and 6.0 SEG positions annually to the departmental management and operations appropriation from the highway administration and planning appropriation to reflect the transfer of the remainder of the office to the Division of Business Management. OODS provides services for the Department related to quality management, strategic and business planning, process improvement, performance management, customer and employee assessment and management development and training. The two eliminated positions are currently vacant. According to the Executive Budget Book, these positions and the associated funding were reallocated to the Division of Motor Vehicles to help offset increasing costs associated with requests to suspend and revoke driver's licenses.

9. FEDERAL TRAFFIC SAFETY FUNDS

FED	\$156,000
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Governor/Joint Finance: Increase funding by \$56,000 in 1999-00 and \$100,000 in 2000-01 in the traffic safety program to reflect estimated increases in the amount of federal traffic safety aid that will be received by the state during the biennium. This increase

would establish total federal funding for the program at \$3,431,600 in 1999-00 and \$3,475,600 in 2000-01.

10. RENT AND LEASEHOLD IMPROVEMENTS

SEG	\$135,200
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Governor/Joint Finance: Provide \$33,500 in 1999-00 and \$101,700 in 2000-01 for renting new facilities. These amounts would be used as follows: (a) \$15,500 in 1999-00 and \$30,900 in 2000-01 for the rental of eight tower sites for State Patrol communications; (b) \$18,000 in 1999-00 and \$33,300 in 2000-01 for the incremental costs of renting new DMV service center sites to replace existing sites (in Baraboo, Port Washington and Richland Center); and (c) \$37,500 in 2000-01 for the rental of additional space for the transportation district office in Wisconsin Rapids.

11. RENT TRANSFER FOR WISCONSIN RAPIDS DISTRICT OFFICE

Governor/Joint Finance: Transfer \$171,000 SEG annually to the departmental management and operations appropriation from the highway administration and planning appropriation to reflect increased space rental costs associated with new, larger district office space in Wisconsin Rapids. Facilities-related costs are centrally managed in DOT by the Division of Business Management.

12. UPGRADE OFFICE SPACE

SEG	\$106,300
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Governor/Joint Finance: Provide \$33,500 in 1999-00 and \$72,800 in 2000-01 for upgrading DOT office space to meet DOA guidelines.

13. FEDERAL INDIRECT COST REIMBURSEMENT APPROPRIATION [LFB Paper 973]

Governor: Create a federal, continuing appropriation for indirect cost reimbursements associated with administering federal transportation programs. Specify that the appropriation could first receive reimbursements of indirect costs incurred on the effective date of the bill. Federal reimbursements credited to this appropriation could be used for administrative purposes, program purposes, funding of positions, payment of federal aid disallowances or other purposes authorized by law. A recent change in federal law allows state agencies charged with administering federal transportation programs to be reimbursed for indirect administrative costs, such as procurement, accounting, payroll, personnel, data processing and facilities management. DOT indicates that a transfer of funds from federal program appropriations to this appropriation would be requested after the federal government approves the state's plan for indirect cost reimbursement.

Joint Finance: Delete provision.

14. PRETRIAL INTOXICATED DRIVER INTERVENTION GRANT PROGRAM

SEG	\$429,700
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Joint Finance: Provide \$115,000 in 1999-00 and \$314,700 in 2000-01 for the pretrial intoxicated driver intervention grant program. Eliminate the current \$500,000 limit on the total amount of grants that DOT may make under the program. Total funding for the program would be \$265,000 in 1999-00 and \$464,700 in 2000-01.

15. REVIEW OF LONG-RANGE TRANSPORTATION PLANS

Joint Finance: Require the Secretary of the Department of Transportation to submit any proposed long-range transportation plan to the Joint Committee on Finance prior to the adoption of the plan. Specify that if the cochairpersons of the Committee do not notify DOT, within 14 days after the date of the submittal of the plan, that the Committee has scheduled a meeting for the purpose of reviewing the plan, DOT may adopt the plan. Specify that if, within 14 days after the date of the submittal of the plan, the cochairpersons of the Committee notify DOT that the Committee has scheduled a meeting for the purpose of reviewing the plan, DOT may adopt the plan only upon approval of the Committee. Specify that the Committee may require DOT to reconsider particular elements of a plan and that, in this case, DOT must resubmit a revised plan for the Committee's review. Specify that a transportation plan that covers a period of six years or less shall not be considered a long-range transportation plan for the purposes of this provision.

16. BROWNFIELDS -- 2001-03 BUDGET REQUEST

Joint Finance: Require DOT to work with the cities of Green Bay, La Crosse, Milwaukee and Oshkosh to develop proposals for transportation planning, access and infrastructure improvements for inclusion in the Department's 2001-03 budget request.

17. BROWNFIELDS -- BIENNIAL REPORT

Joint Finance: Direct the Departments of Administration, Commerce, Natural Resources, Revenue and Transportation to submit an annual consolidated report on June 30 of each year to the Joint Committee on Finance and the appropriate standing committees of the Legislature that evaluates the effectiveness of the state's efforts to remedy the contamination of, and to redevelop, brownfields.